

The Gazette of India



PUBLISHED BY AUTHORITY

SIMLA, SATURDAY, SEPTEMBER 1, 1951

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART III—SECTION 1

Notifications issued by the High Courts, the Comptroller and Auditor General, the Union Public Service Commission, the Indian Government Railways, and by Attached and Subordinate Offices of the Government of India

UNION PUBLIC SERVICE COMMISSION

NOTIFICATION

New Delhi, the 18th August 1951

No. F.1/21/51-Ests.—Shri D. C. Das, I.C.S., relinquished charge of the office of Development Commissioner, Government of Assam, on the forenoon of the 9th July, 1951 and assumed charge of the office of Secretary, Union Public Service Commission, with effect from the 1st August, 1951 (forenoon) and until further orders.

2. On relinquishing charge as Officiating Secretary, Shri Bishan Das took over charge of the temporary post of Deputy Secretary, Union Public Service Commission with effect from the 1st August, 1951 (F.N.) and until further orders.

P. K. KAPRE,

Deputy Secretary,

Union Public Service Commission.

MINISTRY OF HOME AFFAIRS

Intelligence Bureau

NOTIFICATION

New Delhi-2, the 18th August 1951

No. 7/Est(G)/51(56).—The services of Mr. Kedar Nath Singh, Deputy Central Intelligence Officer, Banaras, have been replaced at the disposal of the Uttar Pradesh Government with effect from the afternoon of the 23rd July, 1951.

Mr. Durga Prasad Tiwari, Deputy Superintendent of Uttar Pradesh Police, has been appointed officiating Deputy Central Intelligence Officer, Banaras, with effect from the afternoon of the 23rd July, 1951.

T. R. SUBHEDAR,

for Director.

INDIAN AUDIT & ACCOUNTS DEPARTMENT

Leave and Appointments

NOTIFICATIONS

New Delhi, the 22nd August 1951

No. 3483-GE/G-4/PF.—Shri Ram Ganapati has been appointed as probationer in the Indian Audit & Accounts Service with effect from the 24th July, 1951, and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3486-GE/S-21/PF.—Sri Subrahmanya Sethuraman has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 25th July, 1951, and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3488-GE/K-7/PF.—Mr. Kuriyan John Kuriyan has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 26th July, 1951, and attached to the I.A. & A.S. Training School at Simla from the same date.

No. 3490-GE/A-9/PF.—Shri Amitabha Ghosh has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 26th July, 1951, and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3492-GE/S-20/PF.—Shri S. P. Gugnani has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 23rd July, 1951 and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3494-GE/K-4/PF.—Shri M. P. Kumar has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 28th July, 1951, and attached to the Indian Audit & Accounts Service Training School at Simla from the same date.

No. 3496-GE/G-5/PF.—Shri Ajoy Prakash Ghosh has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 27th July, 1951, and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3498-GE/R-12/PF.—Sri Kasturi Narasimha Row, has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 27th July, 1951, and attached to the I.A. & A.S. Training School at Simla from the same date.

No. 3500-GE/B-9/PF.—Shri Amalendu Narayan Biswas has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 24th July, 1951, and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3502-GE/A-8/PF.—Mr. Austin Joseph Anthony Tauro has been appointed as probationer in the Indian Audit and Accounts Service with effect from the 28th July, 1951, and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3504-GE/S-22/PF.—Sri K. Srinivasa Murthy has been appointed as probationer in the Indian Audit and Accounts Services with effect from the 25th July, 1951, and attached to the Indian Audit and Accounts Service Training School at Simla from the same date.

No. 3384-GE/M-1/PF.—On reversion to the Indian Audit and Accounts Department, Mr. K. S. Malhotra, an officer of the Indian Audit and Accounts Services, has been appointed to officiate in Class II of the Accountants General grade with effect from the 1st August, 1951, and posted as Accountant General, Punjab, Simla from the same date.

No. 3472-GE/R-3/PF.—Sri G. S. Rau, an officer of the Indian Audit and Accounts Service, has been granted leave on average pay ex-India from the 24th June, 1951 to the

2nd July, 1951 and from the 12th July, 1951 to the 31st July, 1951.

On the expiry of deputation abroad and leave, Sri G. S. Rau, an officer of the Indian Audit & Accounts Service has been appointed to officiate in Class II of the Accountant General's grade with effect from the 1st August, 1951 and posted to the office of the Comp. & Auditor General of India as Accountant General (on special duty) with effect from the same date.

No. 3511-GE/G-I/PF.—Mr. Gurbaksh Singh, an officer of the Indian Audit and Accounts Service, has on transfer from the office of the Accountant General, Punjab, been posted as Assistant Accountant General in the office of the Accountant General, West Bengal, with effect from the 5th July, 1951.

P. D. PANDE,
Deputy Compt. & Auditor General.

MINISTRY OF DEFENCE
Directorate General, Ordnance Factories

NOTIFICATION
Calcutta, the 17th August 1951

No. 61/51/G.—With reference to M. of D. (D.G.O.F.) Notification No. 20/51/G, dated 6th April 1951 as amended by Notification No. 33/51/G, dated 27th April 1951, Mr. Siri Ram, offg. D.A.D.G., O.F. is granted an extension of Earned leave for 43 days w.e.f. 2nd June, 1951 with permission to affix Sunday, the 15th July, 1951 to his leave.

K. K. FRAMJI,
Director General, Ordnance Factories.

MINISTRY OF LABOUR
Regional Directorate of Resettlement & Employment

NOTIFICATIONS
Madras, the 21st August 1951

No. L.Dis.18821/51.—In Continuation of the Regional Director of Resettlement and Employment, Madras Proceedings No. A3/8547/51(2) dated 16th June 1951, Sri P. V. Damodar, formerly Assistant Public Relations Officer, Visakhapatnam is granted a further extension of earned leave for 6th April, 1951 also.

S. ABDUL QADIR,
Regional Director.

Lucknow, the 21st August 1951

No. 0302/32/8161.—Sri O. N. Seth, Assistant Employment Officer, Sub-Regional Employment Exchange, Meerut was granted 15 days earned leave from July 9, 1951 to July 23, 1951 (both days inclusive).

RADHA KANT,
Regional Director.

Nagpur, the 22nd August 1951

No. RDE/A-23/3899.—Shri A. K. Sunwani, Assistant Employment Officer, Regional Employment Exchange, Nagpur was granted earned leave on medical grounds for 25 days under the Revised Leave Rules, 1933, with effect from the 11th July, 1951 to 4th August, 1951 (both days inclusive) with permission to suffix Sunday the 5th August, 1951. On expiry of the leave he was reposted to the same station in the same capacity.

A. B. VAIDYA,
Regional Director.

Office of the Chief Labour Commissioner
New Delhi, the 16th August 1951

No. CLC-14(179)/Adm.—Shri A. N. Roy, Labour Inspector (Central), Girdih, was transferred to Delhi-II with effect from the afternoon of 1st August 1951 where he took over charge on the forenoon of 10th August 1951.

The 21st August 1951

No. CLC-14(145)/Adm.—Shri S. K. Gokhale relinquished charge of the office of the Labour Inspector (Central), Ratlam, on the afternoon of 8th August 1951, to join his new appointment as Labour Officer, under the Captain Superintendent, Naval Dockyard, Bombay.

No. CLC-14(188)/Adm.—Shri C. K. Saksena assumed charge of the office of the Labour Inspector (Central), Ratlam, on the afternoon of 13th August 1951.

The 22nd August 1951

No. CLC-14(179)/Adm.—Shri Rabindra Nath, Labour Inspector (Central), Banaras, was transferred to Allahabad, with effect from the afternoon of 3rd August 1951, where he took over charge on the forenoon of 9th August 1951.

L. C. JAIN, I.C.S.,
Chief Labour Commissioner.

LABOUR APPELLATE TRIBUNAL OF INDIA

NOTIFICATION

Calcutta, the 14th August 1951

No. LA.6(2)/3029.—The following decisions of the Bombay Branch of the Tribunal are published for general information :—

1. Appeal No. 134 of 1950.
2. Appeal No. 153 of 1950.
3. Appeal No. 64 of 1950.
4. Appeal No. 146 of 1950.
5. Appeal No. 157 of 1950.
6. Appeal No. Bom.12 of 1951.
7. Appeal No. 175 of 1950.
8. Appeal No. 168 of 1950.
9. Appeal No. Bom.6 of 1951.
10. Appeal No. 176 of 1950.

J. N. MAJUMDAR,
Chairman,
Labour Appellate Tribunal of India.

Appeal No. 134 of 1950
The Indian Vegetable Products Workers,
Union, Bombay.

Appellants ;

versus

The Indian Vegetable Products Limited,
Bombay.

Respondents.

In the matter of an appeal against the award of the Industrial Tribunal (Shri Salim M. Merchant), Bombay, dated the 25th September 1950 in Reference (I.T.) 63 of 1950.

Bombay, the 15th day of December 1950

Present :

Mr. K. P. Lakshmana Rao, President.

Mr. N. S. Lokur, Member.

Appearance—

For the Appellants—

Mr. N. V. Phadke, Advocate.

For the Respondents—

Mr. M. G. R. Aitken, instructed by Mr. F. H. Kemple,
Director, Indian Vegetable Products, Ltd.

State.—Bombay.

Industry.—Miscellaneous (Oils).

DECISION

This appeal arises out of a dispute regarding the bonus for the year ending 30th September 1949, claimed by the workmen employed in the Indian Vegetable Products, Ltd., Bombay. The Company paid them a bonus equivalent to two months' basic wages, while the workmen claimed six months' basic wages with dearness allowance. This dispute was referred to the Government of Bombay to the Industrial Tribunal, Bombay, under section 10 (1) of the Industrial Disputes Act, 1947. The Tribunal increased the bonus to three months' basic wages, that is to say one-fourth of the basic wages earned by the employees during the year 1948-49, subject to the usual terms and conditions.

In this appeal it is claimed on behalf of the workmen, that the Company having made huge profits during the year, and the aggregate of the basic wages and the dearness allowance falling far short of the living wage, they

should be paid a bonus equivalent to at least six months' wages including dearness allowance. The reasoning of this contention is not without plausibility. The concept of the living wage is well understood. It is generally agreed that the living wage should enable the male earner to provide himself and his family not merely the bare essentials of food, clothing and shelter, but a measure of frugal comfort including education for the children, protection against ill health, requirements of essential social needs, and a measure of insurance against the more important misfortunes including old age. Article 43 of the Constitution of India requires every State to "endeavour to secure to all workers a living wage". As a rule, however, though the living wage is the target, yet as observed by the Committee on Fair Wages "it has to be tempered even in advanced countries, by other considerations, particularly the general level of wages in other industries and the capacity of industry to pay." Admittedly, the aggregate of the wages and dearness allowance received by the appellants falls far short of a living wage, and although the attainment of the living wage is laid down as the objective, it is necessary to examine the circumstances of each case and determine the extent to which the gap can be reduced by the payment of bonus. As observed by the Full Bench of this Tribunal in Appeal No. 1 of 1950. (*The Millowners' Association, Bombay v. The Rashtriya Mill Mazdoor Sangh*), "where the industry has capacity to pay, and has been so stabilised that its capacity to pay may be counted upon continuously, payment of 'living wage' is desirable; but where the industry has not that capacity or its capacity varies or is expected to vary from year to year, so that the industry cannot afford to pay 'living wages', bonus must be looked upon as the temporary satisfaction, wholly or in part, of the needs of the employee.

Bearing these principles in mind, we will proceed to consider the conditions of the industry in question and its capacity to pay bonus to its workmen. The Company is a sound concern and earns a decent profit every year, though its amount fluctuates. The profits of the year 1948-49 are admittedly less than those earned in the previous year. The Company, therefore, wants to lay aside a substantial sum as equalisation of dividend fund and has also to maintain the staff gratuity fund. It is now well established that depreciation, reserves, taxes and a fair return on capital employed shall be the first charge on gross profits. It is only out of the surplus profits that bonus may be granted to the workmen. The capital consists of paid up share capital and the reserve employed as working capital; and it is equally well established that a fair return on the former should be 6 per cent. and on the latter 4 per cent. We should not, however, lose sight of the fact that while 6 per cent. may be a fair return on paid up share capital, yet it may not prove sufficiently attractive to the investing public. While it must be our first concern to ensure and achieve industrial peace by securing a contented labour force for the development and expansion of industry, it is equally our duty to see that the investing public is attracted to the industry by a steady and progressive return on the capital invested. Taking note of the fact that "capital is now passing through a phase of extreme shyness", the Committee on Profit Sharing observed that although 6 per cent. be regarded as a fair return on the capital, yet it should be "augmented" to "a reasonable dividend" by means of the "surplus profit". We entirely agree with this view, and we cannot accept Shri Phadke's contention that the entire surplus profits should be appropriated towards the attainment of the goal of a "living wage" to the workmen.

The purpose of reserves, which should have a prior charge on the profits, next to depreciation and taxation, is to provide for repairs and maintenance, emergencies, rehabilitation, modernization of plant and equipment and reasonable expansion. But this Company already possesses a depreciation fund of Rs. 15,00,000 and a reserve fund of Rs. 5,00,000 and its Balance Sheet for the year shows that no more amount was thought necessary to be set apart to the reserve fund, after the addition of Rs. 2,00,000 to the depreciation fund.

It is argued by Shri Phadke that the Company should not have created a staff gratuity fund of Rs. 1,50,000 in a single year, but it should have spread the amount over a period of three or five years. But an emergency may arise and the gratuity may become suddenly payable. Though such a contingency may be remote, yet to err on the safe side, we think the Company was justified in setting apart the requisite amount of gratuity payable to the staff. The Company wants also Rs. 1,00,000 to be reserved as equalisation of dividend fund this year. This fund is to be newly started, and as Rs. 1,50,000 have been reserved in a lump sum as staff gratuity fund, it is not fair to the workmen to start another large fund for the first time in

this very year. The Company has been paying a decent dividend every year, and there is no urgent necessity of starting a dividend equalisation fund this year so as to substantially reduce the surplus profits available for the granting of bonus to the workmen.

Thus after deducting from the gross profits of Rs. 9,97,660, Rs. 2,00,000 for depreciation, Rs. 3,00,000 for taxes, Rs. 1,50,000 for staff gratuity fund, Rs. 1,08,900 for return on the paid up capital at 6 per cent. and Rs. 1,15,660 for return on the balance of the employed capital at 4 per cent., the surplus profits come to Rs. 1,23,100 as found by the Tribunal below. Taking into consideration the substantial amounts of the depreciation fund, and reserve fund, and in view of the fact that the gross profits are more than 50 per cent. of the paid-up capital, which itself includes 30 per cent. not paid in cash and also that the present earnings of the workers fall short of the living wage, it awarded an additional bonus of one month's basic wages. Adding to the surplus balance of Rs. 1,23,100 Rs. 4,000 which will be saved out of the amount kept for taxes by reason of the deduction of the bonus and also Rs. 72,773 brought forward from the previous year, the total sum available is Rs. 1,99,873. Out of this the Company has already declared a "final dividend" of 7 per cent., making a total of 12 per cent. return on paid up capital. Rs. 1,08,900 more will be required to meet this, as only 6 per cent. has been already allowed as a prior charge. Accepting this, Rs. 90,973 still remain on hand. The Company has paid Rs. 35,000 as bonus equivalent to two months' basic wages, and if we double it, and make it Rs. 70,000 still Rs. 20,973 will remain to be carried forward to the next year. We think this will be fair to both the parties.

We, therefore, modify the award of the Tribunal by substituting 1/3rd for 1/4th of the wages to be paid to the workmen as bonus for the year 1948-49 subject to the terms and conditions set out in the said award. No order about costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) N. S. LOKUR,
Member.

Appeal No. 153 of 1950

The Management of Trichinopoly Mills,
Limited, Trichinopoly.

Appellants.

versus

The National Cotton Mills' Workers' Union,
Ramjeenagar, Trichinopoly District

Respondents.

In the matter of an appeal against the award of the Industrial Tribunal, (Sri C. Bhaktavatsalu Nayudu), Mathurai, in Industrial Dispute No. 13 of 1950, published in the Fort St. George Gazette, Madras, dated the 31st October, 1950.

Madras, the 27th day of December 1950

Present :

Mr. K. P. Lakshmana Rao, President.

Mr. N. S. Lokur, Member.

Appearances—

For the Appellants—

Mr. N. S. V. Aiyar, Advocate.

For the Respondents—

Mr. G. Ramanujam, Representative of the National Cotton Mill Workers' Union, Ramjeenagar.

State.—Madras.

Industry.—Textile (Cotton).

DECISION

This appeal arises out of a dispute between the Trichinopoly Mills, Limited, and the workmen employed by it, regarding the bonus for the year 1948, referred by the Government of Madras to the Industrial Tribunal, Mathurai (hereinafter referred to as the Tribunal) under Section 10(1) of the Industrial Disputes Act, 1947. The Mills paid a bonus for that year equivalent to 9 3/8 per cent. of the workmen's annual basic earning during that year, which works roughly to 1 1/8 months' average wages, the monthly average wages being 1/12th of the total earnings during the year. This has to be specially mentioned as the Mills worked for only eight months during that year. The workmen, represented by the National Cotton Mill Workers' Union (hereinafter referred to as the Union), demanded a bonus for 1948 equivalent to four months'

wages inclusive of dearness allowance. The Tribunal granted them a bonus of 3 1/2 months' basic wages, exclusive of dearness allowance, but inclusive of night allowance and production allowance.

The Mills having appealed against the award, it is argued that the workmen having accepted the bonus without protest, the Union, which was subsequently constituted, should not be allowed to raise a dispute about it and to have it referred to the Tribunal. This contention was rightly disallowed by the Tribunal. According to section 2(k) of the Industrial Disputes Act, 1947, any dispute or difference between employers and workmen is an "industrial dispute", and there is no bar of limitation to raise such a dispute. If any industrial dispute exists or is apprehended, then under section 10(1), the appropriate Government may refer it to a Tribunal for adjudication. The Government has the discretion to refuse a reference, and if in view of the circumstances which are now being urged on behalf of the Mills, a reference was refused, the Union or the workmen could not compel the Government to refer the dispute to a Tribunal. But once a reference is made, the Tribunal has no power to question whether the Government exercised its discretion properly or not. Under section 15(1) the Tribunal is bound "to hold its sittings expeditiously and to submit its award to Government as soon as practicable on the conclusion thereof". It is, therefore, not open to the Mills to question the propriety of the reference, or challenge the award on that ground.

Nor can it be contended that the workmen are stopped from claiming an additional bonus. Though they accepted the bonus that was voluntarily paid to them by the Mills, they were not debarred from asking for more at any later time. If there were gross laches on their part, it was for the Government to refuse the matter to a Tribunal; but there could be no bar of estoppel.

On the merits of the appeal, what we have to consider is whether the additional bonus awarded by the Tribunal is so excessive and unjustified as to call for interference in appeal. It is now well settled that bonus is not to be regarded as an *ex-gratia* payment, and that a claim for bonus, if resisted, gives rise to an industrial dispute. The general principle governing the granting of bonus is that as both capital and labour contribute to the earnings of an industrial concern, it is fair that labour should deserve some benefit, if there is a surplus of profit after meeting prior as well as necessary charges. It is, therefore, just and proper to link the quantum of the bonus to the quantum of such surplus profits in the particular year. We are not in favour of linking it to the dividend paid to the shareholders in that year, since the employer may appropriate a large portion of the profits to reserves and dividend equalisation fund so as to substantially reduce the amount available for payment of dividend to shareholders. We do not at present go so far as to say that the bonus should be any definite share in the surplus profits, but it should bear some relation to such surplus profits rather than be made dependent on the dividend paid to the shareholders.

Ex. M 15, carefully prepared by the Mills from the Balance Sheets from 1937 to 1948, gives a correct picture of the financial condition of the Mills from year to year. It shows that the actual share capital collected from the shareholders was Rs. 6,22,060, in 1946, and in that year half of that amount was added to it out of the funds in the hands of the Mills, and in 1947 the paid-up share capital was shown as 9,32,660, so that on the actual capital paid by them the shareholders would really receive 1 1/2 times the declared dividend. The company was started in 1937, and since then it is making good profits, the maximum earned being in the year 1948, namely Rs. 9,50,405. Yet only 6 1/2 per cent. dividend was declared in 1948. Taking the figures of appropriation of the profits as proposed by the Directors in their annual report for 1948, we get the following net surplus, after deducting the well-recognized prior charges :—

	Rs.
Total profits	9,50,405
Less depreciation	48,069
	9,02,336
Less taxes	4,25,547
	4,76,789
Less 6 per cent. dividend on paid-up and made up share capital	55,978
	4,20,811

Less fair return on other capital	Rs. 4,20,261 at 6 per cent. ...	25,18
		3,96,593
Less proposed reserve fund	...	2,83,679
		1,12,914

This amount is available for giving bonus to workmen, and additional dividend to shareholders and reserving a substantial amount for being carried over to the next year. The amount of bonus at the rate awarded by the Tribunal comes to about Rs. 37,000 only, and the Mills can reasonably allot this amount out of the surplus profits.

It is pointed out on behalf of the Mills that a large amount as much as Rs. 12,00,000 and odd has to be kept locked up in stock in trade. But that stock is already in the hands of the Mills and is subject to turnover in the course of the current working. There is, however, some force in the contention that the machinery in the Mills having become old, its replacement would cost about Rs. 35 lacs (about 4 times the original cost), and the total of the reserve fund and the depreciation fund available for this purpose is only about Rs. 10,54,415. We accept the figures which are supplied to us by the learned Advocate for the Mills, and it was necessary for the Mills to set apart Rs. 35/20 lacs, that is to say Rs. 1,75,000 every year by way of reserve and depreciation fund. But the Mills never cared to do this. On the other hand, a large dividend was paid year after year, (at 25 per cent. in 1942 and 1943), and in 1946-47 the shareholders had their capital enhanced by 5 per cent. It is only in this year that the deficit is sought to be made good, and it is not possible to do so even though the entire profits be set apart as reserve fund. But the directors themselves have proposed only Rs. 2,83,679 to be set apart as reserve fund and Rs. 1,37,500 to be set apart for dividend equalisation fund. There is no plausible need for reserving such a large amount for dividend equalisation fund in a single year. Even if Rs. 100,000 be reserved for that purpose, the excess of Rs. 37,000 would be sufficient for paying the bonus awarded by the Tribunal. Looked at from any point, we regard the view taken by the Tribunal to be reasonable, though it requires to be clarified and corrected in one respect.

The Tribunal has awarded the workmen a bonus equivalent to 3 1/2 months' basic wages, inclusive of night allowance and production allowance. In a case like this it will be difficult to say what should be taken as the monthly wage of a particular workman. He may have worked for some days on the night shift and may have earned a production allowance in addition to his regular wages in some months. The award is not clear as to what should be taken as his monthly wage for the calculation of his 3 1/2 months' wages for the purpose of his bonus, as his monthly wages were not uniform throughout the year. It is suggested for the Union that the average for the whole year should be taken as his monthly wage. But the award does not use the word 'average', though they may have been what was intended. In that case the bonus would be appropriately limited to the basic earnings of the year rather than to the monthly wage. We think, therefore, that it would be proper and more easy for calculation to grant bonus equivalent to a certain percentage of the annual basic earnings of each workman.

The next question arising for consideration is whether the basic earnings should include the night allowance and the production allowance. It seems the South Indian Mill-owners' Association has, through its Secretary, informed all the Mills that it does include both (*vide* Ex. M. 20). In our opinion it includes the former, but not the latter. The night allowance is really not an allowance, but enhanced wages. The workman working on the night shift has to put in a more strenuous labour, as he is to keep awake at night and has to work in artificial light. Hence his basic wages must necessarily be more than those of a similar workman working during day-time. The higher wage that a skilled workman gets is not to be split up into a basic wage and an allowance for his skill. The whole amount is his basic wage, though the difference between his wage and that of an unskilled workman may be attributed to the skill he possesses. On the same analogy, the additional remuneration given to a night workman goes to make his wage higher than that of a day worker, owing to the greater strain he has to undergo. It may be a convention that he should get a certain percentage more than that of a day worker; but the whole of it is his basic wage.

The same thing cannot be predicted of the production allowance. It is really a reward paid as an incentive to greater production and cannot be regarded as a part of the

basic wage. It is itself a bonus for better work, and no further bonus can be claimed on it.

As there is no cross appeal by the Union we cannot grant a larger bonus than what has been awarded below and we have to fix the percentage of the annual basic earnings on that basis. The Tribunal has awarded 3½ months' wages as bonus. Hence a workman getting a monthly minimum wage of Rs. 26 would get a bonus of Rs. 81. As the Mill was not working for four months owing to strike, his yearly earning was Rs. 208. Hence it is argued that if he is to get the bonus awarded by the Industrial Tribunal, he should be given 39 per cent. of his annual earnings, if it is to come to Rs. 81. But this would be unfair to the Mills. The bonus is annual and is to be paid for the work of 12 months. If the workman have worked only for 8 months, they cannot claim a bonus on the basis of a whole year's wages. In that case he would be getting a bonus equivalent to 4.68 months' wages. We think that he should get only 3½ months' wages as bonus for 12 months; that is to say 29 1/6 percent of the total basic earnings during the year, inclusive of night-shift allowance, but exclusive of production allowance and dearness allowance. We modify the award accordingly.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) N. S. LOKUR,
Member.

Appeal No. 64 of 1950

The Kirkee Cantonment Board, Kirkee Appellants.
versus

1. The Kirkee Cantonment Board Kamgar Union Kirkee.
2. Workmen not represented by the Union, Kirkee. Respondents.

In the matter of an appeal against the award of the Industrial Tribunal (Shri M. C. Shah), Bombay, dated the 2nd August 1950, in reference (IT-CG) No. 1 of 1950.

Madras, the 15th day of January 1951

Present :

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member.

Appearances—

For the Appellants—

Mr. N. K. Gamadia with Mr. S. G. Samant, Advocate.

For the Respondents—

Mr. S. D. Kamerker, Advocate with Mr. V. V. Kulkarni.

State.—Bombay.

Industry.—Miscellaneous (Cantonment Board).

DECISION

This is an appeal against that portion of the award of the Industrial Tribunal, Bombay, ordering reinstatement of some 52 employees and the payment to them of compensation to the extent of two months' wages including dearness allowance. The facts giving rise to this claim for reinstatement and compensation are briefly these :

On 1st October 1948 the Union gave a notice of strike of the conservancy staff of the Cantonment Board of Kirkee. Conciliation proceedings were started, and on the 15th October 1948 the Conciliation Officer forwarded to the Regional Labour Commissioner (Central) a preliminary report of the negotiations as they had materialized up to that date, and he concluded that report with the remark : "Further negotiations are in progress with the parties concerned". On the 4th November 1948 the Conciliation Officer submitted his final report to the Regional Labour Commissioner (Central), in which he stated the position finally existing at that date; in his considered opinion : "No further negotiations are possible. I have, therefore, brought the conciliation proceedings to an end and have informed the parties accordingly. * * * * Now, the Union are requesting me to suggest to the Government that a Board of Conciliation may be set up to resolve the unsettled issue. I do not think, however, that such a course is advisable in regard to a small understanding like the present one. * * * * The Union will not declare a strike during the next one week as is required under the Industrial Disputes Act".

The Union commenced its strike on the 11th November 1948 and the strike continued for five days. During the period of strike it became necessary for the Cantonment

Authority, in the interests of public health, to engage the services of outsiders to take the place of the strikers, and it is said that the Board were obliged to give the new employees an undertaking of permanent employment. Upon the termination of the strike, the Board allowed the return of old employees, but were unable to provide for 52 of them whose places had been taken by fresh recruits. It is in respect of these 52 employees that the claim for reinstatement and compensation had arisen.

The issue turns primarily on the question whether the strike was illegal or not. The learned Adjudicator has held that the strike was not illegal, and that the Board were bound to take back the employees when they offered to resume work, at the termination of the strike; and having come to that conclusion, the learned Adjudicator ordered reinstatement and compensation as previously stated.

We are unable to accept that view. Section 22 of the Industrial Disputes Act, 1947, provides that no person in a public utility service shall go on strike in breach of contract during the pendency of any conciliation proceedings before a Conciliation Officer and seven days after the conclusion of such proceedings; and by section 20 a conciliation proceeding is deemed to have concluded where no settlement is arrived at, when the report of the Conciliation Officer is received by the appropriate Government. In the case before us, the final report of the Conciliation Officer is dated the 4th November, 1948, and was received by the Regional Labour Commissioner (Central) two days later, i.e., on the 6th November, 1948, assuming that he was the person entitled to receive it on behalf of the appropriate Government. In our opinion, for the purposes of section 22 sub-section (d), it makes no difference whether the conciliation proceedings ended on the 4th or the 6th; in either case for the next seven days no strike could have legally started; the earliest possible date for a legal strike would have been 12th November, 1948. We hold, therefore, that on the facts as appearing on the record the strike was illegal.

We are aware that under section 12, sub-section (6), the report of the Conciliation Officer ought to have been submitted within 14 days of the commencement of the conciliation proceedings, which means within 14 days after the 1st October, 1948. The fact is that the first report, dated 15th October, 1948, was made in purported pursuance of this requirement; but as the parties desired to continue negotiations, (and indeed even on the 4th November, 1948, the employees desired a reference to a Conciliation Board), it is obvious that the final report did not issue till the 4th November, 1948 because of the desire of the parties to further explore the possibilities of conciliation. We are conscious of the fact that the time limit fixed by section 12, sub-section (6), was probably designed to ensure that delay on the part of a Conciliation Officer should not render infructuous a strike notice; but in the circumstances which have been stated, the final report did not materialise earlier because of the desire of the parties to continue conciliation.

It is conceded that if the strike was illegal, then the persons who had failed in their attempt to be restored to their previous position have no claim to reinstatement or compensation. The learned Adjudicator in his award has made a reference to his previous award in the case of the Western India Automobile Association, Bombay, V. the workmen employed under it, in which he quoted with approval the following passage from Ludwig Teller ("Labour Disputes and Collective Bargaining", Volume II, Section 318, page 849) :

"The Supreme Court of the United States has settled it that an employer who has committed no unfair labour practice, against whom a strike has been declared is not obliged to cease the conduct of his business, but may employ others to take the place of the strikers, and he may promise to retain such employees in his employ even after the termination of the strike; under such circumstances, the employer's obligation to reinstate extends only to such of the striking employees whose places have not been filled during the strike. Where, however, the strike is the result of an unfair labor practice the employer is under an obligation to discharge those employees hired to take the place of the strikers, and to offer to reinstate the striking employees."

We are constrained to observe that if the learned Adjudicator has correctly applied these principles to the facts of the present case, he would have desisted from ordering reinstatement and compensation under demand 1(D), even on the basis of his findings that (a) the strike was not illegal and (b) that the strike was not justifiable.

We, therefore, set aside the award of the Tribunal below as regards claim 1(D), and we hold that the said claim is unsustainable.

There will be no order as to costs. The appellants will be entitled to withdraw the monies which they have deposited as a condition of stay.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHOOY,
Member.

Appeal No. 146 of 1950

The Ahmedabad Mfg. & Calico Ptg. Co.,
Ltd. (Jubilee Mills), Ahmedabad. Appellant.

versus

1. Mohanlal Jivram,
2. Shakhralal Vasram, and
3. Chunilal Maganlal. Respondents.

In the matter of an appeal against the order of the Industrial Court, Bombay, (sitting at Ahmedabad) in Appeal (IC) No. 126 of 1949, dated the 22nd April 1950.

Bombay, the 29th day of January 1951

Present :

Mr. K. P. Lakshmana Rao, President.
Mr. F. Jeejeebhoy, Member.

Appearances—

For the Appellant—
Shri R. J. Kolah, Counsel.

For the Respondents—
Shri C. T. Daru.

State.—Bombay.

Industry.—Textiles (Cotton).

DECISION

This appeal involves the interpretation of an award, and we shall state the relevant facts on which that interpretation depends.

2. On 27th December 1946 the Union gave notice of a change and along with that notice submitted a statement of the changes desired. The statement begins with a preamble :—

"Whereas it is necessary to raise and standardize the basic wages of employees working in the Ahmedabad Textile Mills, the following changes are desired".

At the end of the statement there is a definite claim that : "These wage-increases shall operate on and from the 1st of January 1947."

3. By an order of 3rd June 1947 the industrial dispute was referred to the Industrial Court for adjudication, and the award was published on 28th April 1948. The portion of the award which has to be interpreted reads as follows :

"We have therefore come to the conclusion that the minimum occupational wages fixed by the Assessor should be retained with this modification that the workers who get below that minimum should be brought to or above the minimum so that no worker gets less than Rs. 5 by way of increase, and workers who get above the minimum at present should get an increase of 10 per cent. provided that it is not less than Rs. 5."

As stated already, the notice of change was given on 27th December, 1946. On 1st January, 1947, that is three days after the receipt of the notice, the company gave increases in salary to certain of its workmen. Another increase was given on 1st April 1947 and a third increase on 1st June, 1947. The award came into operation with retrospective effect from 1st July 1947, and the Company implemented that award after making adjustments for the increments which had been given between 1st January 1947 and the date on which the award became operative, namely, 1st July 1947. The three respondents before us thereupon filed applications alleging an illegal change, and it was their contention that the increases which they had received between 1st January 1947 and 1st July 1947 should not be taken into account at all in giving effect to the increases allowed by the award. Two of them received their increases on 1st January 1947, and the third received two increments, on 1st April 1947 and the other on 1st June 1947.

4. The Court below has come to the conclusion that there has been an illegal change, but we are unable to agree.

5. The payment of these increases followed the receipt of the notice of change, and it was not suggested that independently of the notice of change there was any other consideration for the payment of such increases. Even Counsel for the respondents was unable to indicate any other reason for it, and it is reasonable to conclude that they had been given in advance towards satisfaction of any increases as might be finally awarded. The claim had been for increase of the existing wages as from 1st January 1947, and it was not brought to the notice of the Labour Court or of the Industrial Court which made the award that some increases had been given to some of the workers between 1st January and 1st July 1947. In the circumstances the words "minimum at present" could only mean "existing wages as on 1st January 1947", and it follows that the increases paid to the three respondents between 1st January 1947 and 1st July 1947 were rightly adjusted by the employers when they implemented the award. There was therefore no illegal change, and it is unnecessary for us to consider the competency of the individual respondents to make the applications or the question of limitation. The decision of the Court below is therefore set aside, and there will be no order as to costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHOOY,
Member.

Appeal No. 157 of 1950

The Rohit Mills Ltd., Mithipur, Ahmedabad. Appellants.

versus

Shri Rasiklal S. Parmar & 4 others, C/o
Ahmedabad Mazdoor Mandal, Bhadra, Respondents.
Ahmedabad.

In the matter of an appeal against the Order of the Industrial Court, Bombay (Sitting at Ahmedabad) in Appeal (IC) No. 95 of 1950 dated, the 25th October 1950.

Bombay, the 5th day of February 1951

Shri K. P. Lakshmana Rao, President.
Shri F. Jeejeebhoy, Member.

Appearances—

For the Appellants—
Shri P. B. Patwari, Advocate.

For the Respondent—
Shri C. T. Daru.

State.—Bombay.

Industry.—Textile (Cotton).

DECISION

The facts involved in this appeal are shortly these :

The Rohit Mills Ltd., carry on the business of the manufacture of cotton textiles. The Company is also the parent concern of two subsidiary ventures, namely, a silk section and a section for the manufacture of machinery. The Textile Labour Association raised a dispute with regard to bonus of the cotton textile operatives for 1948 and an award was passed in their favour. The Company paid the bonus accordingly to the cotton textile worker but refused it to the operatives of the silk and machine manufacturing concerns. So the Textile Labour Association filed separate applications on behalf of employees of those concerns for a declaration that by reason of non-payment of the bonus under the award, the Company had made an illegal change and they asked for a direction for withdrawal of the illegal change. The learned Judge of the Labour Court at Ahmedabad in a well considered decision disallowed the claim of these concerns on the ground that they did not form an integral part of the cotton textile mill and could not therefore claim the benefit of the award of 1948. An appeal was taken by the Textile Labour Association on behalf of the employees of the silk Section had dropped the claim of the employees of the machine manufacturing concern to this bonus but five employees in their individual capacity appealed against the decision of the Labour Court to the Industrial Court, Bombay, at Ahmedabad. That Court reversed the decision of the Labour Court and upheld the claim of the employees of the machine manufacturing concern to bonus under the award of 1948. The appeal before us against the decision of the Industrial Court, and in our view the decision cannot be sustained.

Attached to the cotton textile mill there is now and there always has been a mechanic department for the maintenance and repair of the cotton textile machinery. For some time prior to 1946-47 some machinery used to be manufactured in this department with the help of some old machines installed on the premises. About the end of 1947 new machines for manufacturing machinery and spare parts were ordered out by the Rohit Mills Ltd., and from the beginning of 1948 the manufacturing concern was separated from the mechanic department which undoubtedly is an integral part of the cotton textile mill. The separate concern was first named the Rohit Machine Manufacturing Works, and from January 1949 the name was changed to R. M. Engineering Works. The claim of the five workmen in effect is that the operatives of the Rohit Machine Manufacturing Works, which was later known as the R. M. Engineering Works, are entitled to bonus for the year 1948 under the award in question, and that the Company had made an illegal change by non-payment of the bonus thereunder.

3. It is conceded that the five employees in question would have no claim for bonus under the award of 1948 unless the concern in which they worked in 1948 formed an integral part of the cotton textile mill. This is clear from a reading of section 2 sub-section (3) of the Bombay Industrial Disputes Act, 1938, coupled with the notification issued on the subject from time to time, and we have to determine whether at any time during 1948 the Rohit Manufacturing Works, as it was then known, formed an integral part of the cotton textile mill.

4. The evidence of the first applicant Rasiklal, one of the two applicants who gave evidence, throws some light on this subject. He stated *inter alia* as follows:—

"I am at present working in what is known as R. M. Engineering Works. First old machines were being worked and thereafter new machines were brought and I am working there since the time of old machines. The old machines as well as the new ones are being worked in the same shed and it was only given a difference name by fixing a Board in August 1949. Before the Board was put, this was referred to as Rohit Machine Manufacturing Works in the correspondence. That was all throughout the year 1948. I do not know if the Bills were also being prepared in same name. In the year 1948 no separate musters were kept for this section In the year 1948 the work in this section was done for the purposes of Rohit Mills and also of the sister concerns at Baroda and Kalol. The spare parts of the machinery and also Reeling machine were being manufactured We worked in a separate shed since 1948. The shed for the mechanic department of the mills is different. The Mechanic department of the mills was not run only for the purpose of maintenance and repairs but even the machinery, i.e., Art Silk Weaving Looms was being manufactured. . . . We all worked in the year 1948 in the new shed. About 60 persons who were working before in the old shed were transferred to the new shed since about December 1947. About 40 out of them are still there and the others might have left. In all about 121 employees worked in the new shed in 1948 and all of them have not been paid any bonus for that year. I had gone to the new shed of my own accord. Others also willingly joined in the new shed. The employees from the old shed are not coming to work in the shed but those of the new shed are being sent to work in the old shed as said by me above.

5. It appears clear to us that during the year 1948 the Rohit Machine Manufacturing Works now known as the R. M. Engineering Works, was a separate concern which could not possibly be regarded as an integral part of the cotton textile mill. The manufacture of machinery and spare parts is not a normal activity of a cotton textile mill, and the Rohit Machine Manufacturing Works are admittedly manufacturing and supplying the machinery to outsiders as well. The cotton textile mill was treated like any other customer in respect of the goods supplied and the materials on record negative the idea of an integration between the cotton textile mill and the Rohit Machine Manufacturing Works. A separate account was opened for this concern in the books of the Company from the beginning of 1948 (Ex. 21); separate bill books were maintained for orders received from the Rohit Mills and other concerns. (Ex. 29-33); separate musters were kept for the employees of the Machine Manufacturing Works and for those of the mechanic department of the mills. The mechanic department was an integral part of the cotton textile mill and bonus was paid to its employees in

accordance with the award. On the facts the conclusion seems irresistible that the Rohit Machine Manufacturing Works was not integral part of the cotton textile mills.

6. The learned Judge of the Industrial Court does not appear to have given sufficient consideration to the essential requirement that in order to claim bonus under the award of 1948 the employees of this machine manufacturing concern had to establish that their concern was an integral part of the cotton textile mill. It is true that the profits of the machine manufacturing concern were included in the general profits of the limited liability Company, but so were the profits of the silk mills, and there is nothing surprising that it should be so when it is admitted that the Rohit Mills Ltd., as a Company is the parent concern operating three separate units. We find it difficult to follow the reasoning of the learned judge in that part of his decision where he suggests that in the absence of a notice of change under section 42 (1) there could not have been a valid emergence of a separate machine manufacturing concern. The evidence is that those employees who were concerned with the manufacture of machinery went over to the manufacturing concern of their own accord, whereas those who were concerned with the upkeep and maintenance of the cotton textile mill remained in the mechanic department of the mill.

7. We hold that in 1948 the Rohit Machine Manufacturing Works was not an integral part of the cotton textile mill. Accordingly we reverse the decision of the Industrial Court below and affirm the decision of the Labour Court. There will be no order as to costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHoy,
Member.

Appeal (Bom.) No. 12 of 1951

Shree Digvijaya Cement Co., Ltd., Sikka
(Saurashtra).

Appellant.

versus

The workmen employed under it as represented by Mazdoor Mahajan Sangh, Sikka (Saurashtra).

Respondents.

In the matter of an appeal against the award of the Industrial Tribunal (Shri N. L. Vyas) Saurashtra, dated the 20th November, 1950, in Adjudication No. 13 of 1950.

Bombay the 14th day of February 1951

Present :

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member.

Appearances—

For the Appellant—

Shri R. J. Kolah, Advocate.

For the Respondents—

Shri D. M. Sant.

State.—Saurashtra.

Industry.—Miscellaneous (Cement).

DECISION

This is an appeal by the Company against the decision of the Industrial Tribunal below in respect of its decisions on demand Nos. 1 and 7. Demand No. 1 relates to the dearness allowance payable to the employees and demand No. 7 relates to holidays.

2. This cement factory has been erected at Sikka in the vicinity of Jamnagar. The work of erection started in 1946, and the factory commenced production from July 1949 with a daily production capacity of about 300 tons. Prior to February 1949 the employees received a consolidated wage by which is meant that the dearness allowance had not been separated from the basic pay. From about February 1949 the consolidated wage was split up into basic wage and dearness allowance, and dearness allowance was paid at the rate of 25 per cent. of the basic wage. The factory employs 345 men of whom 189 belong to the surrounding rural area, and 156 are outsiders to the locality. The Company gives free housing, light and water facilities to 241 of these employees, unskilled, semiskilled and skilled.

3. The Union demanded that every workman should be paid dearness allowance of Rs. 45 p.m. on the basis of 66 per cent. of the dearness allowance paid by the textile mills at Ahmedabad. The learned Adjudicator was of the

view that as the total wages of the workmen had not been increased in 1949, it could not be said that dearness allowance was fixed in 1949 on the basis of the rise in the cost of living from 1939 to 1949 as was adopted by him in the adjudication in respect of the other cement factories of Saurashtra. Accordingly he awarded dearness allowance to the workmen of the appellant concern on the same basis as he had awarded to the workmen of the Porbander Cement Company i.e., Rs. 1 per day. The Adjudicator also adopted the system prevailing in the Porbander Cement Factory of paying 8 1/3 per cent. of the basic wage as dearness allowance in addition to the other dearness allowance to all workers whose wages exceeded Rs. 1/4- per day.

4. It was the contention of the Company that the basic wage plus 25 per cent. of the basic wage given as dearness allowance was a fair wage, subject to this that the lowest paid workmen should not receive less than Rs. 46 as total emoluments.

5. It seems to us clear that the learned Adjudicator was in error in the view that he took. No question of 1939 wages arose, for the simple reason that the erection of the factory started in 1946. The workmen were discharged after the factory was completed. Some were re-employed and others inducted in 1949 for the working of the plant. The wages on re-employment were consolidated wages consisting of basic wage and dearness allowance, and it is evident that the Adjudicator could not possibly fix the dearness allowance without taking into account the total emoluments which the workmen were receiving. In some concerns a lower basic wage is paid for which a higher scale of dearness allowance is required; in other concerns the basic wage is higher, in which case there has to be some adjustment. The Tribunal is bound to take into consideration the general level of wages of similar categories in the region, for the purpose of ascertaining what the dearness allowance of a particular concern should be. The Tribunal below has, however, omitted to apply its mind to this aspect of the problem; it has considered the question of dearness allowance without reference to basic wages, and has granted dearness allowance on a basis as if it was isolated from basic wages or total emoluments.

6. The Company filed a comparative statement of the basic wages, dearness allowance, and total emoluments of three comparable concerns in the vicinity, namely, the Porbander Cement Company, the Dwarka Cement Works and the Company now before us. It is evident from a study of the figures that in a large majority of cases the total emoluments of this Company are higher than those of the other two concerns. It has been pointed out to us, with considerable force, that this concern has just started operations, that unlike the Porbander Cement Company it does not belong to the Associated Cement Co.'s group, that it has started with a capital of Rs. 1 crore which has been absorbed in the installation, and that it has had to borrow 11 lakhs of rupees (now increased to 16 lakhs) for carrying on its business. It has made profits in the first year, as against which modest depreciation could be provided for the year, and the Company contends that there is no substance in the learned Adjudicator's remarks that the Company is likely to make large profits in the future; it was urged before us that with the imminent removal of controls and for other reasons connected with the trade, future profits will be limited, and we are told that the trial balance sheet shows that the profits of 1950 are not likely to exceed 2 lakhs of rupees.

7. There can be no question that the workmen are entitled to a fair scale of wages. The learned Adjudicator does not appear to have given due consideration to the fact that 241 of the workmen are in receipt of free quarters, light and water; this is an element which he should have taken into consideration when determining what should be the fair total emoluments. We shall assume for the purposes of this decision that these amenities could be reasonably valued at at least Rs. 6 per month.

8. Our main concern must necessarily be the lowest paid worker. The Company has agreed that no workman shall receive less than a minimum of Rs. 46, which along with free quarters, light and water would bring the total emoluments to about the same level as is paid in the Porbander Cement Company. There is, however, one class of lowest paid workmen which require special consideration and they are those who are not in receipt of free housing, light and water, and we direct that they shall receive in addition to a minimum total emoluments of Rs. 46 a sum of Rs. 6 until such time as they too receive those extra benefits.

9. As for the rest of the workmen we see no reason to interfere with the scales of pay which they have been receiving from the Company. We are not prepared to say

that the present system of paying 25 per cent. of basic wage as dearness allowance is inappropriate to the concern before us. The wage scale of this concern was fixed in 1949, and as we find that the total of basic pay and dearness allowance compares favourably and is in most categories superior to the scale prevailing in the Porbander Cement Company, we do not think that any interference is indicated except in the case of the lowest paid employees.

10. Demand No. 7 relates to holidays which the workmen claim. At present the Company gives 6 days holidays with pay, but the workmen claim that they should be granted all the public holidays with pay as are given by the Government of Saurashtra to its employees. One would have thought that the learned Adjudicator would have first endeavoured to ascertain what are the usual holidays given by cement concerns in the vicinity. He has, however, selected an electrical concern for comparison merely on the ground that the managing agents of that electrical concern and the cement concern before us are the same. That electrical concern gives 13 days holidays with pay, and the learned Adjudicator has granted the workmen before us 11 public holidays on the basis that it was a happy *via media* between what the electrical concern was giving and what the workmen before us were claiming. A decision like this, proceeding on untenable basis of comparison cannot be upheld. We are told that the cement concerns in Saurashtra, to which the learned Adjudicator turned for guidance in the matter of dearness allowance, give 6 days holidays with pay. It is not apparent from the record as to which 6 days are given as holidays by the appellant Company as mentioned in its written statement that it has recently announced that it would give 2 national holidays to all workers and has further agreed to give 4 holidays as and when the employees choose in lieu of the four additional sectional holidays. We do not think that the holidays with pay which the workmen have been granted by the Company should be increased, and certainly not in the present early stages of the Company's existence.

11. We, therefore, set aside the decision of the Tribunal below on demand No. 1 relating to dearness allowance, and we hold that the present system of basic wage and dearness allowance is satisfactory except to the following extent: that the lowest paid employee shall not receive a total emolument (basic wage plus dearness allowance) of less than Rs. 46, and that if he is one of those not provided with free quarters, light and water, he should be given an additional Rs. 6 until he is given such amenities. We also reverse the decision of the Tribunal below on the question of holidays and hold that the holidays now granted by the Company are satisfactory and in keeping with the holidays given by similar concerns in the region.

12. It is ordered accordingly and there will be no order as to costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHAY,
Member.

Appeal No. 175 of 1950

Warner Brothers First National Pictures
Inc., Eros Theatre Building, Bombay.

Appellants.

versus

Its workmen as represented by Foreign
Film Distributors Employees Union,
Bombay.

Respondents.

In the matter of an appeal against the award of the Industrial Tribunal (Shri M. C. Shah), Bombay, dated the 6th November, 1950, in Ref. (IT) No. 111 of 1950.

Bombay, the 16th day of February 1951

Present :

Mr. K. P. Lakshmana Rao, President.
Mr. F. Jeejeebhoy, Member.

Appearances—

For the Appellants—

Mr. G. R. Aitken of Messrs Crawford Bayley & Co.,
Solicitors, instructed by Mr. B. N. Nadkarni,
Managing Director, for the Company.

For the Respondents—

Shri N. V. Phadke, Advocate.
State.—Bombay

Industry.—Miscellaneous (Film Distribution).

DECISION

The appellant company are distributors of films in India, Pakistan and Burma, and they are one of the foreign branches of Warner Brothers Pictures International Inc., which in turn is one of the principal subsidiaries of the producer company, namely, Warner Brothers Pictures Inc. The company pays salaries on a four week basis, and has been directed by the Industrial Tribunal, Bombay, to pay bonus equivalent to 2/13th of basic salary for the year from 1st July 1948 to 30th June 1949.

2. The appellants being aggrieved by this order for the payment of bonus have appealed, and their Counsel has urged before us the following three principal grounds of appeal :

- (a) that there were accumulated losses of the previous years, and the profits of the year in question had been utilised in diminution of those losses, and therefore no profits were available for the payment of bonus.
- (b) that even if the profits of the year were not set off against the accumulated losses of previous years, the amount of profit in the year in question was insufficient to justify the payment of any bonus ; in any event the profits were derived from the business of the appellant concern not only in Bombay, but also at New Delhi, Calcutta, Madras, Rangoon and Lahore, and that the profits derived from all these places could not reasonably be applied for the benefit of the employees of Bombay as to their bonus.
- (c) that the profits which had been made during the year were not the result of the workmen's effort, and that therefore they were not entitled to any bonus out of such profits.

3. We shall first deal with the question as to whether the profits of the year in question were sufficient to justify the award of any bonus. The Company had produced before the Tribunal below the accounts for the year 1948 and of the two previous years in a confidential cover, and had requested that the information contained therein be treated as confidential under section 21 of the Industrial Disputes Act. Before the hearing of this appeal Counsel for the workmen as well as a representative were given inspection of these accounts, and we have heard arguments based on the accounts. If we refrain from discussing the accounts in detail, it is because of the request of the appellant company that such details should be kept confidential. There are, however, certain basic facts, the discussion of which will not impinge on the seal of confidence.

4. The employers state that they will have to pay bonus to the workmen in their other offices in India and in Rangoon and Lahore at the same rates as in Bombay, if the decision of the Tribunal below is maintained. This would involve an expenditure of Rs. 9,200, being the cost of bonus to the employees other than the supervisory and managerial staff, for a period of eight weeks, the total number of employees in India, Burma and Pakistan affected by the award being 60, of whom 25 are in Bombay. It is not disputed that the workmen concerned in this Reference are paid a wage bill of Rs. 85,800 per year consisting of their basic wage and dearness allowance ; it is also not disputed that the supervisory and managerial staff have to be paid by the company Rs. 1,20,000 in a year for basic wages and dearness allowance. It would thus appear that the company pays a wage bill of some two lakhs of rupees a year in respect of its business as distributors of films in India, Pakistan and Burma.

5. The company's profits are naturally dependent upon box office receipts, and it would be idle to deny that the company has to accept certain risks as part of its business activities ; it is also obvious that the company must reasonably expect a fair return for the business which it carries on, and for the brains and enterprise brought to the affairs of the company. That the business is of such a character that it can be involved in losses is evident from the state of the accounts of the previous years, and of the accumulated losses which the company claims to set off against the profits of the year in question. Where, as in this case, the company pays a wage bill of two lakhs of rupees annually, and also undertakes certain risks in or about its business, it would not be unreasonable for the company to claim a substantial measure of profits as a fair return for its effort. We refrain, because of the seal of confidence, from stating the amount of profit which the company has made during the year, but we are satisfied that it is not in excess of the return which the company may rightfully claim. It has been urged before us that this concern has no fixed capital, that no question of depreciation arises, that no provision has to be made for any replacements, and that therefore

the principles of our Full Bench decision in the case of the Millowners' Association, Bombay v. The Rashtriya Mill Mazdoor Sangh, Bombay, do not apply. It is, however, clear that the company has to find 2 lakhs of rupees every year to pay the wages of the staff, and is naturally entitled to expect a fair return on the money so utilised by it, quite apart, from any particular benefits to compensate for the risks attaching to the nature of the business. The learned Adjudicator below has in our opinion failed to direct his attention to the factors which we have now stated, and in a case like this he ought to have considered what would be the fair return which a business like this could reasonably expect in existing circumstances in order to ascertain what ought to be the prior charges before any claim for bonus can arise. Viewed in this light there will be no surplus out of which bonus could be paid for the year in question and it is unnecessary to decide the other contentions of the appellant.

6. The award of the Tribunal below is therefore set aside. There will be no order as to costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHROY,
Member.

Appeal No. 168 of 1950

Kanti Cotton Mills Ltd., Surendranagar,
Saurashtra.

Appellant.

versus

Its workmen represented by the Secretary,
Rashtriya Mill Mazdoor Sangh, Surendra-
nagar (Saurashtra).

Respondents.

In the matter of an appeal against the award of the Industrial Tribunal (Shri N. L. Vyas), Saurashtra, dated the 17th October, 1950 in Adjudication No. 6 of 1950.

Bombay, the 19th day of February 1951

Present :

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member

Appearances—

For the Appellant—

Shri P. B. Patwari, Advocate.

For the Respondent—

Shri Somnath P. Dave.

State.—Saurashtra.

Industry.—Textile (Cotton).

DECISION

The question referred by the Government of Saurashtra to the Tribunal below for adjudication was in following terms :—

"What amount of bonus should be paid by the Kanti Cotton Mills Ltd., Surendranagar for the year 1948-49 to its workers?"

The Industrial Tribunal below decided that the workers should be paid a bonus equivalent to 1/5th of their earnings during the period from 1st April 1948 to 31st March 1949. The employers being aggrieved by that decision have filed the appeal now before us.

2. A Full Bench of this Tribunal has held in the case of the Millowners' Association, Bombay, vs. The Rashtriya Mill Mazdoor Sangh, Bombay, that the question of bonus arises only if there is an available surplus after satisfaction from profits of such prior charges as depreciation, taxation, fair return on paid-up capital, and provision for replacement of machinery. The learned Adjudicator below based his decision upon his view that the principles stated in that Full Bench decision were not applicable wholly to the dispute before him because the wages of the workmen had been unduly low in the past and had not been standardised. He is, in our judgment, clearly wrong in the view that he took.

3. Counsel for the Company has summarised the profit position of the Company for the relevant period for the

purpose of ascertaining whether anything is available for bonus : he has produced a statement as follows :—

Gross Profit	—8.10 lacs plus paid —1.46	0.45 bonus extraneous profit
	7.09 lacs	
Loss depreciation	3.30 lacs	
	3.79	
Loss Taxation paid	1.12	
	2.67	
Loss dividend at 6%	2.80	
Loss reserve	1.00	
Loss additional reserve	0.98	
Loss bonus paid actually	0.45	
Loss Gandhi Memorial Fund	0.28	
Loss return on employed capital	0.60	
Total Loss	8.11	

According to this statement, which is based on the audited balance sheet of the Company, there is an absence of any available surplus from which bonus could be paid. It was urged by the employees that the extraneous profits should not be deducted. These extraneous profits, however, include Rs. 55,000 from the sale of cotton waste, Rs. 11,784 from the sale of cast iron parts, Rs. 44,801 being the profits of ginning and factory, Rs. 2,293 as rent, Rs. 11,660 as profits from the grain shop, and Rs. 20,015 from miscellaneous sales of scrap. In our view these items cannot be said to be part of the income of the concern which is now required to pay bonus. The items represent either sale-price of stocks and stores, or profits derived from sources unrelated to the workmen's effort. It has also been urged that two years' dividend on preference shares was paid in a single year amounting to Rs. 45,000 and that this should not be taken into account in ascertaining whether there is any available surplus for bonus. Here again the dividend on preference shares is a cumulative liability and it is a claim which the Company must necessarily honour. On behalf of labour it was further argued that the block assets had been inflated on the formation of the Company, but as to this there is no evidence in support. It is manifest that even if the items to which the employees have taken objection before us are excluded from prior charges, there would still be no available surplus from which bonus could be paid. The Company has nevertheless voluntarily paid bonus equivalent to two months' basic pay, and there is no basis for increasing it.

4. The question as to whether the existence of a low wage scale gives rise to a claim for bonus has been already decided by us in Appeal No. 148 of 1950 (The Ramesh Cotton Mills Co. Ltd., Morvi, v. its workmen). It appears that in the case before us the standard of minimum wages was low until it was raised by the interim recommendations of the Textile Labour Investigation Committee appointed by the Government of Saurashtra. That Committee raised the basic wages and dearness allowance by about 60 per cent. as and from 1st July 1948. If, therefore, there was a grievance it was satisfied to the extent of the interim recommendations within three months of the commencement of the year for which bonus has been claimed. We have decided in the case above mentioned that it would be contrary to principle to hold that in the absence of any available surplus, bonus may yet be granted just in order to fill the deficiencies between the wages which the workmen had been receiving and what they should have received if wages had been standardised; if the workmen felt that their scale of employments were below minimum wages their remedy was to raise an industrial dispute and seek fixation of fair wages if so advised with retrospective effect. We therefore reverse the decision of the Tribunal below granting bonus in excess of the bonus which had been voluntarily given by the Company.

5. Mr. Patwari on behalf of the employers contended that the notification by which the Tribunal was constituted had no legal validity in that it offended against the requirement of Article 166 of the Constitution, whereby it is provided that all executive action of the Government of a State shall be expressed to be taken in the name of the Governor. There seems to be some substance in this contention but the question has now become a matter of academic interest, and it is unnecessary to decide it.

6. We, therefore, allow the appeal and reverse the decision of the Tribunal below granting bonus in excess of the

bonus voluntarily given by the Company. There will be no order as to costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHAY,
Member.

Appeal (Bom.) No. 6 of 1951

Alliance Silk Mills, Bombay and 39 others. Appellants.

versus

Mill Mazdoor Sabha, Bombay. Respondents.

In the matter of an appeal against the Order of the Industrial Court (Shri K. C. Sen), Bombay, dated the 27th November, 1950, in Appeal (IC) No. 180 of 1950.

Bombay, the 20th day of February 1951

Present :

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member.

Appearances—

For the Appellants—

Shri Vima Dalal, Advocate, with Shri D. P. Ketkar,
Labour Officer.

For the Respondents—

Shri N. V. Phadke, Advocate

State—Bombay.

Industry.—Textile (Silk).

DECISION

The facts concerning this appeal may be shortly stated as follows : On 1st December 1948 a reference was made to the Wage Board in respect of the dearness allowance of 15 silk mills, not included amongst the 39 mills constituting the appellants before us. The Wage Board so appointed gave its decision on 4th June 1949 in Reference 3 of 1948 allowing dearness allowance on the basis of neutralization to the extent of 67 1/2 per cent. The Union appealed, and on 12th October 1949 the Industrial Court raised the dearness allowance from 67 1/2 per cent. to 75 per cent. neutralization. The employers filed an application for review (Application No. 2 of 1950), before the Industrial Court, and when the matter came up for hearing on 14th January 1950, a joint agreement of parties was filed, the construction of which is the main point in this appeal.

2. That agreement of 14 January 1950 recites that "the representative union for the employees, the opponents, and the Silk and Art Silk Mills' Association, on behalf of the applicants and the other undertakings in the industry, have arrived at the following terms of agreements and pray that the Honourable Court may be pleased to pass orders in the present application in terms of the above agreement".

3. The first term of the agreement provides that the employers and employees agree that there should be a uniform rate of dearness allowance for all the undertakings in the industry. The second term, which is equally material, states that the employers and employees in all the undertakings in the silk and art silk textile industry agree to abide by the order of the Wage Board for the Silk Industry in the reference to be made to it in respect of the remaining undertakings of the industry, that is to say, of those 39 undertakings not included in Reference No. 3 of 1948 before the Wage Board.

4. The reference which was to be made to the Wage Board was in fact made on 10th March 1950, and on 30th September 1950 the Wage Board in a carefully considered decision decided that the dearness allowance should be based on a neutralization of 67 1/2 per cent. In October 1950 the Union, which was a party to the agreement, appealed against the decision of the Wage Board to the Industrial Court [Appeal (IC) No. 180 of 1950], and the Industrial Court made its award on 27th November 1950 increasing the dearness allowance from 67 1/2 per cent. neutralization to 75 per cent. Against that decision the present appeal has been filed.

5. It has been urged before us with considerable force that by the agreement in question the parties had agreed to abide by the decision of the Wage Board, and as such decision had been duly given, it should not be questioned and ought not to have been questioned by the Industrial Court. The parties to the agreement were on the one hand the Silk and Art Silk Mills Association Ltd., representing the silk mills, and on the other hand the Mill Mazdoor

Sabha, which was the representative union for the Silk Textile Industry, duly registered and recognised. The terms of the agreement are clear; the parties agreed in the first place that the rate of dearness allowance should be uniform for all the undertakings in the industry; they further agreed to abide by the order of the Wage Board in the reference out of which this appeal has now arisen; and in the last paragraph the parties agree that should the Wage Board grant lesser neutralization than had been sanctioned in the case of the 15 mills in the previous reference, then any over payments would be set off against the bonus for the year 1949 and subsequent years.

6. It has been contended before us by the appellants that the terms of the agreement are clear and specific, and that the parties had agreed and intended that the decision of the Wage Board would be final and binding as between them, and that the words "agree to abide by the order of the Wage Board" can have no other meaning. It is therefore urged that the Industrial Court below had no jurisdiction to entertain the appeal.

7. The Industrial Court has taken the view that "when parties merely agree to abide by the order of the Court from which there is a right of appeal the proceedings in question would ordinarily include the proceedings in appeal, which are a continuation of the proceedings in the original Court; and it is clear, besides, that in this case the ordinary right of appeal was not expressly given up". We are unable to accept the interpretation which the learned Judge below has placed upon this agreement and we are unable to agree that the authority cited by him has application to the facts of the present case. The learned Judge mentions in his award that the parties to that suit had filed in Court a petition to the following effect: "We are not going to adduce any evidence. We agree to the decision which the Court shall pass after inspecting the premises and upon the documents filed by plaintiff and the arguments of the parties". It, therefore, appears to us that in that case the parties agreed to take a decision from the Court without producing any further evidence, and they were agreeable that the Court's decision should rest upon an inspection of the premises and upon a consideration of the documents filed by the parties. It is, however, significant that the parties did not agree to abide by the decision of the Court as the learned Judge below seems to think; and in our view there is a material difference between these two aspects of the matter. In the agreement before us the parties had clearly agreed to abide by the order of the Wage Board; the language of the agreement is precise and there is no ambiguity; although an appeal was not excluded in express terms, the whole tenor of the agreement points to finality of proceedings before the Wage Board which was to be the arbiter of the dispute between the parties; furthermore the last paragraph of the agreement in our opinion throws light on the intention of the parties to regard the decision of the Wage Board as the final figure for adjustments. Both the parties to the agreement were representatives of the industry and we hold that by their agreement it was their intention that their disputes on this question of dearness allowance should be finally determined by the order of the Wage Board.

8. The decision of the Industrial Court is accordingly set aside and the decision of the Wage Board is restored. There will be no order as to costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHROY,
Member.

Appeal No. 176 of 1950

The Lalbhai Tricumlal Mills Co., Ltd.,
Ahmedabad.

Appellant.

versus

The Textile Labour Association, Ahmed-
abad.

Respondent.

In the matter of an appeal against the order of the Industrial Court (Shri P. S. Bakhle) (sitting at Ahmedabad), Bombay, dated the 24th October 1950, in Appeal (IC) No. 109 of 1950.

Bombay, the 2nd day of March 1951

Present :

Mr. K. P. Lakshmana Rao.

Mr. F. Jeejeebhoy.

Appearances—

For the Appellant—

Shri J. G. Rebello, Labour Officer of the Mills.

For the Respondent—

Shri R. M. Shukla, for Textile Labour Association.

State.—Bombay.

Industry.—Textile (Cotton).

DECISION

This is an appeal against the order of the Industrial Court, Bombay, confirming the order of the Registrar under the Bombay Industrial Relations Act refusing to register an agreement.

2. The facts are shortly these: On 14th March 1949 the mills gave a notice of change under section 42(1) of the Bombay Industrial Relations Act to the Textile Labour Association which is a representative Union stating that it proposed in future to recognise only 50 paherawallas as permanent in the mill, and that the rest would be considered as temporary. On 28th March 1949 the mills sent a report to the Conciliator, Ahmedabad, in form 'N' on the basis that no agreement was possible. In their letter of that case the mills stated: "We beg to inform you that it has not been possible to reach an agreement with the representative of the employees, namely the Textile Labour Association, Ahmedabad, and that we still desire that the change proposed by that Notice should be effected. A full statement of the case is given in the annexure". The annexure is an important document. It states that after the notice of change, negotiations to arrive at an agreement were started forthwith, and "as a result of the talks a Draft Agreement was arrived at between Mr. Chunilal of the Textile Labour Association and the Labour Officer of the above mills. However, as Mr. Chunilal said that he had no authority to sign the said agreement he took a copy of it to Mr. Manhar Shukla and after making certain alterations and additions in the said draft agreement the said altered agreement was sent to the above mills for approval. The above mills approved the said altered draft of agreement and after making four fair copies thereof signed the same and asked Mr. Shukla for his signature on behalf of the Textile Labour Association but refused to sign the said agreement even though it was according to his own suggestion. * * * * We have therefore to request the Conciliator to enter this dispute and start with the conciliation proceedings at an early date". What immediately followed, however, was rather different to what the mills sought by their notice in form 'N' of 28th March 1949. Having obtained the signatures of Mr. Parmar to the agreement the mills forwarded it to the Registrar on 2nd April for registration under the Act. The Union appeared before the Registrar and objected to the registration. Conciliation proceedings were fixed by the Conciliator on 8th and 9th April 1949, but it appears that no joint meeting could take place. The representative of the Mills represented to the Conciliator not to entertain the report in form 'N' and the mills repeated this request by letter dated 13th April. The Conciliator closed the proceedings on 14th April.

3. It is therefore clear that the agreement in question was presented to Mr. Chunilal for his signature as representing the Union, but Mr. Chunilal said that he had no authority to execute the agreement, and referred the mill to Mr. Shukla. When Mr. Shukla refused to sign the agreement, it was taken by the mill authorities to Mr. Jashingbhai Parmar who signed it on behalf of the Textile Labour Association; it is not disputed that Mr. Parmar had authority to sign such an agreement; but the question is whether there was a concluded agreement between the parties which the Registrar should have registered.

4. We have considerable misgivings about this agreement. Mr. Parmar who ultimately signed the agreement on behalf of the employees was not a party to any of the negotiations which took place; those negotiations were first conducted by Mr. Chunilal and subsequently with Mr. Shukla who had refused to sign the agreement. The Registrar in his order, and the Industrial Court in appeal, have given a number of reasons justifying the refusal to register the agreement. We think that the subject is capable of a simpler approach. In our view the letter of 28th March 1949 (Form 'N') and the annexure thereto, coupled with the admitted facts, make it abundantly clear that there was no concluded agreement between the parties and that the mill clearly recognised that position. The Registrar was right in refusing to register the agreement. The appeal is therefore dismissed. No order as to costs.

(Signed) K. P. LAKSHMANA RAO,
President.

(Signed) F. JEEJEEBHROY,
Member.

DIRECTORATE GENERAL OF SUPPLIES & DISPOSALS**NOTIFICATIONS***New Delhi, the 16th August 1951*

No. 654.—Mr. M. L. Mukherjee, Assistant Inspecting Officer (Engg.) in the Directorate General of Supplies & Disposals at Calcutta, has been granted earned leave for 61 days from 7th August 1951 to 6th October 1951 with permission to suffix Sunday and holidays from 7th October 1951 to 12th October 1951 to the leave.

The 21st August 1951

No. 535.—Mr. S. Krishnan, Assistant Inspecting Officer, in the Directorate General of Supplies & Disposals at Bombay was granted earned leave for 20 days from 18th June 1951 to 7th July 1951, with permission to prefix and suffix Sundays on 17th June 1951 and 8th July 1951 respectively to the leave.

A. R. KAPUR,

*Director (Administration & Co-ordination),
for Director General of Supplies & Disposals.*

SURVEY OF INDIA**NOTIFICATIONS***Dehra Dun, the 16th August 1951*

No. 2.—Shri Amr Chand Chowla, Officer Surveyor, attached to No. 13 Party, Survey of India, is granted, under the Revised Leave Rules, 1933, earned leave for 32 days from 20th August 1951 to 20th September 1951, with permission to prefix Sunday, the 19th August 1951 to the leave.

H. M. CRITCHELL,
Director, Northern Circle.

Mussoorie, the 18th August 1951

No. 2137/P.F.—Shri B. L. Gulati, M.A. (Cantab.), Director, Geodetic and Training Circle, Survey of India was granted under the Fundamental Rules leave on average pay for 24 days with effect from the 19th July 1951 with permission to affix Sunday, the 12th August 1951 to the leave.

The 20th August 1951

No. 2138/P.F.—Major C. M. Sahni, Deputy Superintending Surveyor, Survey of India, was granted, under the Revised Leave Rules (1933), earned leave for 19 days from 17th April 1951 with permission to affix Sunday, the 6th May, 1951 to his leave.

I. H. R. WILSON,
*Colonel,
Offg. Surveyor General of India.*

GEOLOGICAL SURVEY OF INDIA**NOTIFICATION***Calcutta-13, the 16th August 1951*

No. 11219/2222(MSJ).—Mr. M. S. Jain, M.Sc., is appointed to officiate as Assistant Geologist in the Geological Survey of India on Rs. 275/- p.m. in the scale of Rs. 275—25—500—E.B.—30—650/-, with effect from the forenoon of the 2nd June, 1951, until further orders.

M. S. KRISHNAN,
*Director,
Geological Survey of India.*

MILITARY ACCOUNTS DEPARTMENT**NOTIFICATIONS***New Delhi, the 20th August 1951*

No. 5521-An.—Leave has been granted as noted below :—

Shri D. R. Jain, A.M.A.G.,—Extension of earned leave from 7-7-51 to 9-7-51. Earned leave from 19-7-51 to 21-7-51.

Shri Shyamlal Banerjee, probationer, Superior Service Officer (an officer officiating in class II of the Superior Service of the Military Accounts Department)—Earned leave from 25-6-51 to 28-6-51.

Shri R. Venkataraman, probationer, Superior Service Officer—Earned leave from 10-4-51 to 20-4-51. Extraordinary leave from 21-4-51 to 28-4-51.

The 21st August 1951

No. 7170/3/AN.—The undermentioned officers in the office of the Controller of Military Accounts (Pensions), Allahabad, have been granted leave as shown against each :—

Shri Kartar Singh Kochhar, Deputy Assistant Controller of Military Accounts (Permanent)—Privilege leave for two days on 19-7-51 and 20-7-51.

Shri Ramji Mal, Deputy Assistant Controller of Military Accounts (Officiating)—Privilege leave from 4-7-51 to 18-8-51.

No. 6708/27/AN.—The undermentioned officers in the office of the Controller of Military Accounts, Western Command, Meerut, have been granted leave as shown against each :—

Shri R. C. Nandi, Deputy Assistant Controller of Military Accounts, (Temporary)—Furlough on full average salary on M.C. from 23-5-51 to 22-8-51 (both days inclusive) in extension of the leave granted to him in this Department Notification No. 6708/19/AN, dated 26-5-51.

Shri C. L. Khanna, Deputy Assistant Controller of Military Accounts, (Officiating)—Privilege leave from 19-4-51 to 8-5-51 (both days inclusive).

No. 6707/13/AN.—The undermentioned officers in the office of the Controller of Military Accounts, Eastern Command, Meerut have been granted leave as shown against each :—

Shri Gobind Ram Kapur, Deputy Assistant Controller of Military Accounts, (Temporary)—Privilege leave for two months from 19-6-51.

Shri Jawahar Singh, Deputy Assistant Controller of Military Accounts, (Officiating)—Privilege leave from 16-4-51 to 30-5-51.

No. 7185/3/AN.—The undermentioned officers in the office of the Field Controller of Military Accounts, (Other Ranks), Secunderabad have been granted leave as shown against each :—

Shri Inder Sain Anand, Deputy Assistant Controller of Military Accounts, (Temporary)—Privilege leave for one month from 15-7-51.

Shri Dial Singh, Deputy Assistant Controller of Military Accounts, (Officiating)—Privilege leave from 8-6-51 to 22-7-51.

Shri Deputy Lal, Deputy Assistant Controller of Military Accounts, (Officiating)—Privilege leave from 23-7-51 to 3-9-51.

No. 5612/45/AN.—Shri Gurdit Singh Mendiratta, a permanent Accountant in the office of the Controller of Naval Accounts, Bombay, has been appointed, until further orders, to officiate as Deputy Assistant Controller in that office with effect from 3-8-51 (Forenoon).

No. 6709/26/AN.—Shri B. N. Ganguly, a permanent Accountant in the office of the Controller of Army Factory Accounts, Calcutta, has been appointed, until further orders, to officiate as Deputy Assistant Controller in that office with effect from 1-8-51 (Forenoon).

No. 6709/27/AN.—Shri B. N. Ganguly, an officiating Deputy Assistant Controller of Military Accounts in the office of the Controller of Army Factory Accounts, Calcutta, was granted privilege leave from 11-6-51 to 23-6-51.

R. JAGANNATHAN,
Military Accountant General.

RECTORATE GENERAL OF HEALTH SERVICES

New Delhi, the 22nd August 1951

NOTIFICATIONS

New Delhi, the 20th August 1951

No. 15-55/50-P.H.L.—Shri Devi Dayal, B.A., permanent office Superintendent, Malaria Institute of India, Delhi is appointed to officiate as Assistant to Director at the Institute from the 11th June to 25th October 1950 (both days inclusive) *vice* Dr. M. K. Menon, M.B.B.S. promoted to officiate as Assistant Director.

T. C. PURI,
for Director General of Health Services.

No. 1357(8)/GHF.—Mr. K. K. Nasta, has relinquished charge of the post of General Manager, Government Housing Factory, New Delhi with effect from the forenoon of the 21st August 1951 to proceed on leave.

C. D. KAPUR,
Secretary,
Committee of Director.
Government Housing Factory.

OFFICE OF THE ACCOUNTANT GENERAL, CENTRAL REVENUES

PART I

List of properties other than Securities held by the Treasurer of Charitable Endowments for India under Act VI of 1890 for the year 1949-50.

Serial No.	Particulars of vesting order		Name of Endowment	Administrators of property	Property		Annual income if known	Remarks
	No.	Date			Description	Value		
1	2	3	4	5	6	7	8	9
UTTAR PRADESH								
Govt. of U. P. Education Deptt. 602/XV. and G/XV 1923.	Noti- fication No. 301 808 619-	2-4-18 29-11-1923	Giraundi astha sala Endow- ment Mirzapur district.	Kay- Path- sala Trust Dis- trict.	A Committee Con- sisting of the Col- lector, Mirzapur as Ex-Officio Chairman and Executor of the estate of the late Munshi Bindeshwari Prasad, Pleader.	(a) Three houses situated in Mohalla Welesleygunj, dis- trict Mirzapur—bounded as follows— (1) South—House of Piarelal, North—House of Musam- mat Jhunna, West—Gov- ernment Road, East—House of Sumer Sonar. (2) South—House of Munshi Bindeshwari Prasad, Vakil, North—Mosque, West— House of Rameshwar Teli, East—Road. (3) South—House of Budhan North—House of Munshi Bindeshwari Prasad, Vakil, West—House of Musammam Umrao, East—Road. (b) Whole of Mauza Giraun- dai, Pargana Bhuil, Tahsil Chunar, Mirzapur District. (c) A grove situated in Mauza Giraundi, Tehsil Chunar, Mirzapur District. (d) Patbala in Mauza Gira- undi, Tahsil Chunar, Dis- trict Mirzapur situated in grove mentioned in (c) above. (e) One higha, 12 biswas of muaf land and a grove of 18 biswas.	600 0 0 600 0 0 600 0 0 6,483 14 7 600 0 0 50 0 0 172 8 0	
PUNJAB.								
Pending apportionment of Properties relating to Central Charitable Endow- ments between India and Pakistan, the list of prop- erties could not be pre- pared by Accountant Gen- eral (Treasurer of Charit- able Endowments), East Punjab.								
MADRAS.								
1 Madras Govt. 25-6-1904	No. 389 Edu- cational.		The Lawrence Memorial School (Lovedale) Fund.	Board of Administration composed of (a) an officer of the Govt. of India nominated by the Ministry of Educa- tion, (b) an Officer of the Govt of India nomi- nated by the Minis- try of Defence, (c) an Officer of the Govt. of India nominated by the Ministry of Finan- ce and (d) four other members nominated by the Govt. of India of whom two shall be officials including one serving member of the Armed Forces and two non-officials.	1. Land in Madras bearing Sur- vey No. 232 and measuring 15 cawnies 18 grounds and 1,678 square feet with the building thereon known as the Madras Military Female Orphan Asylum. 2. Land in koti in the registra- tion district of Coimbatore Nilgiris and registration sub- district of Coonoor bearing survey. No. Acre 1158 12.57 1224 A/1 49.26 1224 A/3 606.55 1224 A/5 25.34 1224 A/8 4.20 1224 B/2 0.74 1224 B/4 1.06 1224 C 0.07 3. Land in Ootacamund in the registration district of Coimbatore-Nilgiris and registration sub-district of Ootacamund bearing. Survey No. Acres. 1224 A/5 1.06 4/8 1224 A/7 0.05 5/8	126,475 0 0	The property is in the occupation of Civil Orphan Asylum in consideration of its maintaining 30 additional girls such as were former- ly admitted to the Madras Military Female Orphan Asylum.	
2 Govt. of India, Ministry of Defence Noti- fication No. 778 A.		14-5-49						

PART

List and abstract account of securities held by the treasurer of Charitable

Case No.	Name of Endowments.	Persons on whose behalf held.	Particulars of						
			3% 1963-65.	Bombay Municipal Debenture.	4% 1960-70.	4½% 1955-60.	Calcutta Port Trust Debentures or Bonds.	Bombay Improvement Trust Debenture.	Bombay Port Trust Debentures.
1	2	3	4	5	6	7	8	9	10
Aligarh—UTTAR PRADESH									
1	Tasadduq Rasul Arabic Scholarship Endowment Trust.	Treasurer, Muslim University, Aligarh.	..	..	..	..	..	..	..
2	Sir Saiyed Ahmed Memorial Trust, Aligarh.	Registrar, Muslim University, Aligarh.	..	..	..	..	..	..	..
3	Sir William Morris Scholarship Endowment Trust.	Vice Chancellor Muslim University, Aligarh.	..	..	..	..	..	..	..
Allahabad									
4	Rewa Scholarship Endowment Trust.	Principal, Government Intermediate College, Allahabad.	..	..	..	..	..	..	..
5	Panna Scholarship Endowment Trust.	Director of Education, U.P., Allahabad.	..	..	..	..	..	..	..
6	Charkari Scholarship Endowment Trust.	Ditto. ..	..	..	..	..	..	..	..
7	Vizianagram Scholarship Endowment Trust.	Registrar, University of Allahabad	..	..	..	..	..	..	..
8	Ditto.	Principal, Government Intermediate College, Allahabad.	..	..	..	..	..	..	..
Banaras									
9	Sadholal Scholarship Endowment Trust.	Principal, Sanskrit College, Banaras.	..	..	..	..	..	..	..
10	Kathlawad Sanskrit Scholarship Endowment Trust.	Ditto. ..	..	..	..	..	..	..	..
11	B. Shyam Singh and Brijkishore Tandon Swimming Competition Endowment Trust.	Headmaster, Central Hindu School, Banaras.	..	..	..	..	..	..	..
			3% 1949-52	4% 1960-70	3½% 1947-50	3% 1963-65	Post Office National Savings Certificate	3% U.P. loan 1952	3% 1951-54
12	Nagri Pracharini Sabha Endowment Trust.	Secretary, Nagri Pracharini Sabha, Banaras.	..	..	..	..	..	..	..
13	Rewa Scholarship Endowment Trust.	Principal, Govt. Higher Secondary School, Banaras.	..	..	..	..	..	..	..
14	Mahraj Kumar Sri Sudhansu Sokkar Singh Deo, heir apparent of Sonapur Estate Orissa Medal Endowment Trust.	Vice Chancellor, Hindu University, Banaras.	..	..	..	..	..	..	..
15	Central Hindu School, Vidyarthi Sahayak Sabha Charitable Endowment Trust.	Head Master, Central Hindu School, Banaras.	..	..	..	..	..	..	..
16	Rani Bhawan Raj Lakshmi Debi of Basti Endowment Trust.	Registrar, Hindu University, Banaras.	..	..	..	..	..	..	..
(Pauri Garhwal)									
17	Garhwal Kashatriya Scholarship Endowment Trust.	Secretary, Garhwal Kashatriya Scholarship Endowment Trust Fund, Pauri.	..	..	..	..	..	..	..
18	Chandra Ballav Memorial Endowment Trust.	Deputy Commissioner, Garhwal	..	..	..	..	..	..	..
Lucknow									
19	MacDonnel Fund for Training of Lady doctors.	Principal, Medical College, Lucknow	..	13,000	..	..	..	..	3,000
20	Nagar Education Endowment Trust, Upper India.	Secretary, Nagar Education Endowment Trust, Upper India, Lucknow.	..	8,000	..	..	400	700	..
21	Capt. Kunwar Inderjit Singh, M.C.I.M.S. Memorial Research Scholarship Fund.	Principal, Medical College, Lucknow.	..	..	..	5,300	..	..	..
Mirzapur									
22	Ghramdi Kayasth Pathshala Endowment Trust.	Collector, Mirzapur	..	15,100	..	..	..	..	..

* Represents account for the year ending 1950-51.

Endowments for India under Act VI of 1890 for the years 1949-50.

Securities.			Cash receipts.				Cash expenditure.	Balance in cash.	Remarks.
National Savings Certificate.	3% loan of 1970-75.	3% Conversion Loan 1946.	Total of securities.	Interest or dividend realised.	Other cash receipts.	Total cash receipts.	Payments.		
11	12	13	14	15	16	17	18	19	20
..	..	20,200	20,200	602 14 0	..	602 14 0	602 14 0	..	
..	..	1,10,000	1,10,000	3,461 14 0	..	3,461 14 0	3,461 14 0	..	
..	..	6,400	6,400	191 0 0	..	191 0 0	191 0 0	..	
..	..	4,100	4,100	122 6 0	..	122 6 0	122 6 0	..	
..	..	4,400	4,400	131 4 0	..	131 4 0	131 4 0	..	
..	..	8,200	8,200	244 12 0	..	244 12 0	244 12 0	..	
..	..	26,000	26,000	775 14 0	..	775 14 0	775 14 0	..	
..	..	14,800	14,800	441 10 0	..	441 10 0	441 10 0	..	
..	..	45,000	45,000	1,343 0 0	..	1,343 0 0	1,343 0 0	..	
..	..	9,100	9,100	271 10 0	..	271 10 0	271 10 0	..	
..	..	300	300	9 0 0	..	9 0 0	9 0 0	..	
..	..	92,900	92,900	2,820 4 0	..	2,820 4 0	2,820 4 0	..	
..	..	5,800	5,800	173 2 0	..	173 2 0	173 2 0	..	
..	..	1,500	1,500	44 12 0	..	44 12 0	44 12 0	..	
..	..	65,000	65,000	1,850 4 0	..	1,850 4 0	1,850 4 0	..	
..	..	7,300	7,300	217 14 0	..	217 14 0	217 14 0	..	
..	..	51,900	51,900	1,545 14 0	..	1,545 14 0	1,545 14 0	..	
..	..	89,000	89,000	2,656 2 0	..	2,656 2 0	2,656 2 0	..	
..	..	90,700	1,06,700	3,268 12 0	61 13 3	3,330 9 3	3,390 9 3	..	
..	1,300	15,800	26,200	927 2 0	..	927 2 0	927 2 0	..	
..	..	1,00,200	1,06,500	3,148 8 0	..	3,148 8 0	3,148 8 0	..	
..	..	1,600	16,700	648 10 0	..	648 10 0	648 10 0	..	

Case No.	Name of Endowment.	Person on whose behalf held.	Particulars					
			3% Conversion Loan 1946.	4% 1950-70.	Non-transferable Treasury notes 4% of 1863-64.	Non-transferable Treasury notes 4% of 1873-74.	3% Second Victory Loan 1950-51.	4% Non-transferable Treasury Notes 1872-73.
1	2	3	4	5	6	7	8	9
<i>Madras</i>								
1	Lawrence Memorial School, (Lovedale) Fund.	Board of Administration composed of (a) an officer of the Govt of India nominated by the Ministry of Education, (b) an officer of the Govt. of India nominated by the Ministry of Defence, (c) an officer of the Govt. of India nominated by the Ministry of Finance, and (d) four other members, to be nominated by the Govt. of India of whom two shall be officials including one serving member of the Armed Forces and two non-officials.	7,90,800	3,28,200	20,218½	10,000	..	41,400
<i>Coorg</i>								
2	Yates Endowment Fund, Coorg	District Educational Officer, COORG, Mercara.	400	..	..	..	..	..
3	The Koravanda Appiah's Educational Endowment Fund.	A Board of Trustees consisting of the following Government officers and one private gentleman with power to add to their number if they find it necessary—(1) the Commissioner of Coorg (Chairman), (2) The Headmaster of the Central High School, Mercara, (3) District Educational Officer, Coorg, and (4) A competent Coorg gentleman from the Donor's family or outside to be selected by the Commissioner, Coorg.	15,800	..	..	..	300	..
4	The 1937 Coronation Essay Prize Fund	A Board of Trustees consisting of (1) Headmaster, Central High School, Mercara, (2) Headmaster, Govt. High School, Virajpet and (3) Headmistress, Girls' High School, Mercara.	100	..	..	..	..	..
5	Post-War Services Reconstruction Fund for Coorg.	A committee consisting of (1) The Chief Commissioner of Coorg, (2) The Commander, Bangalore Sub-area, (3) The Assistant Commissioner of Coorg, (4) The District and Sessions Judge of Coorg, and (5) Rao Bahadur K. G. Ballappa.	..	..	..	..	..	..

OFFICE OF THE ACCOUNTANT GENERAL, CENTRAL REVENUES, (TREASURER OF CHARITABLE ENDOWMENTS OF INDIA);

New Delhi, the 1951.

DIRECTORATE GENERAL, ALL INDIA RADIO

NOTIFICATIONS

New Delhi, the 17th August 1951

No. 1(80)D3/51.—On return from leave on average pay for two months, Mr. S. N. Sen resumed charge of the post of Deputy Development Officer (Administration), Directorate General, All India Radio, with effect from the 4th August 1951.

M. LAL,
Deputy Director General,
for Director General.

New Delhi, the 18th August 1951

No. 1(1/19)-SII/51.—Mr. H. L. Kapur, officiating Sub-Editor, News Services Division, All India Radio, is granted earned leave for 55 days with effect from the 1st July 1951 and his services in All India Radio are terminated with effect from the afternoon of the 24th August 1951.

The 22nd August 1951

No. 1(I/23)SII/51.—Mrs. Vidya Dutt, officiating Reference Officer, News Services Division, All India Radio was granted earned leave for 11 days with effect from the 11th July 1951 with permission to affix Sunday, the 22nd July 1951, to the leave.

S. BANERJEE,
Deputy Director of Administration,
for Director General.

New Delhi, the 22nd August 1951

No. 12(74)A/51.—Mr. S. N. Chib, Director of Programmes, All India Radio, New Delhi, is granted earned

leave for 27 days from the 30th July 1951 with permission to affix Sunday, the 26th August 1951 to the leave.

M. LAL,
Deputy Director General,
for Director General.

New Delhi, the 23rd August 1951

No. 1(52)-SII/51.—Mr. J. N. Ganhar is appointed to officiate as Assistant News Editor, News Services Division, All India Radio, with effect from the 1st August, 1951.

No. 10(7)-EII/51.—In continuation of this Directorate's Notification No. 10(7)-EII/51 dated the 14th June 1951, Mr. P. R. Desikachar, Offg. Asstt. Station Engineer, All India Radio, New Delhi, was granted extension of earned leave for 2 days, with effect from the 13th July, 1951, with permission to affix Sunday, the 15th July 1951, to the leave.

No. 11(21)EII/51.—Consequent on his transfer from the late office of the Controller of Broadcasting, Hyderabad State, Mr. N. V. S. Ramamurthy, Officiating Assistant Engineer, joined All India Radio, Hyderabad with effect from the 1st April 1950.

No. 11(51)EII/50.—Mr. Iqbal Pasha, officiating Assistant Engineer, All India Radio Hyderabad, was transferred, in the same capacity, to All India Radio, Aurangabad, with effect from the 16th May, 1950.

On his return from overseas studies Mr. Madan Mohan, Assistant Engineer, was posted at All India Radio, Hyderabad, with effect from the 16th May, 1950.

On his return from overseas studies Mr. Saifuddin, Assistant Engineer, was posted at All India Radio, Aurangabad, with effect from the 16th September, 1950.

S. BANERJEE,
Deputy Director of Administration,
for Director General

of Securities.				Cash receipts.				Cash expendi- ture payment.	Balance in Cash.	Remarks.
4½% Loan of 1955-60.	3½% Loan of 1953-55.	National Savings Certificates	Total of Securities.	Balance on 1st April, 1950.	Interest or dividend realised.	Other Cash receipts.	Total cash receipts includ- ing balance.			
10	11	12	13	14	15	16	17	18	19	20
1,16,000	16,400		13,23,018½	63,068 3 0	37,070 2 0	208,000 0 0	3,08,138 5 0	194 2 0 (D) 81,428 15 0 (E) 2,24,759 8 7 (F)	1,756 11 5	(D) Fees paid to Govt. (E) Interest remitted. (F) Other pay- ments.
..	400	84 0 4	9 0 0	..	93 0 4	0 1 0 (D)	82 15 4	
..	..	800	16,900	43 2 0	468 0 0	..	511 3 0	2 11 0 (D) 434 1 0 (E)	74 7 0	
..	100	36 5 0	3 0 0	..	39 5 0		39 5 0	
..	28,292 0 0	..	..	18,292 0 0	1,656 4 6 (F)	36,635 11 6	

B. N. SENGUPTA,

Accountant General, Central Revenues,
and Treasurer of Charitable Endowments,
for Indore.

LOCAL-SELF GOVERNMENT DEPARTMENT, BIHAR

Medical Section

NOTIFICATION

Patna, the 30th July 1951

No. A-SI-2-22/51-11474-Medl.—In exercise of the powers conferred by Sub-Section (2) of Section 16 of the Ranchi Mental Hospital Act, 1922 (XIII of 1922), the Government of Bihar in the Ministry of Local Self Government are pleased to direct that the following form shall be substituted for form 17 prescribed in rule 72 of the Ranchi Mental Hospital Accounts Rules which were amended and published under notification No. 3916-LSG, dated 24th March 1930.

By order of the Governor of Bihar.

P. K. J. MENON,

Secretary to Government.

Amendment

1. Name of Patient
2. Class of Patient
3. Name & address of the guardian undertaking to pay the Maintenance charges
4. Monthly rate
5. Number of Total servants

6. Date of admission
7. Date of Discharge

Period of maintenance	Amount due or Balance carried over	Amount realised		
		Receipt number	Date	Amount
1	2	3	4	5
	Rs. A. P.			Rs. A. P.

Balance	Signature of the officer incharge	Remarks
6	7	8
Rs. A. P.		

CENTRAL TRACTOR ORGANISATION

NOTIFICATIONS

New Delhi, the 16th August 1951

No. F.3-27/51-E.L.—Shree A. G. Benjamin, temporary Stores Officer, Central Tractor Organisation, Central Region, Bairagarh (Bhopal), is hereby granted two days' earned leave for the 25th and 26th June, 1951, with permission to prefix the 24th June, 1951 (Sunday), to his leave.

No. F.3-19/51-E.L.—Shree C. P. Srivastava, temporary Divisional Agricultural Engineer, Central Tractor Organisation, Rampur, is hereby granted 21 days' earned leave with effect from the 17th July, 1951.

The 22nd August 1951

No. F.3-34/51-E.L.—Shri M. P. Makhijani, temporary Labour Welfare Officer, is hereby granted an extension of 8 days' earned leave in continuation of 30 days earned leave granted to him vide this office notification of even number dated the 17th July, 1951

P. N. BHANDARI,

Chairman.

MINISTRY OF FOOD & AGRICULTURE

Directorate of Economics & Statistics

NOTIFICATION

New Delhi, the 17th August 1951

No. F.10-91/51-Estt-ES.—Shri M. S. Menon, Research Officer in the Directorate of Economics & Statistics (Ministry of Food & Agriculture) is granted leave on average pay for 13 days with effect from the 16th to 28th July, 1951 with permission to prefix closed holiday on the 15th July, 1951 and suffix closed holiday on the 29th July, 1951.

Certified that the Officer after expiry of leave, is likely to return to his post at Headquarters at New Delhi.

S. R. SEN,

Economic & Statistical Adviser.

INDIAN COUNCIL OF AGRICULTURAL RESEARCH

NOTIFICATION

New Delhi, the 21st August 1951

No. F.79(41)/51-Adn.—Shri R. Varadarajan, M.A., of the Central Secretariat Service, Class II, a substantive temporary Superintendent in the Office of the Indian Council of Agricultural Research was granted an extension of leave on half pay for 3 days from the 29th July, 1951 to the 31st July, 1951.

Shri Amir Singh Chawla of the Central Secretariat Service, Class II, continued to officiate as a Superintendent vice Shri Varadarajan.

S. R. MAINI,

Secretary.

OFFICE OF THE CHIEF RESEARCH OFFICER,
CENTRAL MARINE FISHERIES RESEARCH STATION

NOTIFICATIONS

Mandapam Camp, the 18th August 1951

No. 2573.—Shri L. B. Pradhan, Assistant Research Officer (Mackerel) in this Department at the Karwar Sub-Station was granted earned leave for eight days from 4th July 1951 to 11th July 1951. Shri Pradhan returned to the same post on expiry of the leave, on the 12th July 1951.

The 20th August 1951

No. 2578.—Dr. H. L. Arora, Assistant Research Officer (Ecology) (Class II) of this Department at Mandapam Camp was relieved of his post on the forenoon of 9th August 1951 so as to enable him to take charge of the post of Research Officer (Fishery Survey) (Class I) of this Department at Mandapam Camp.

N. K. PANIKKAR,
Chief Research Officer.

INDIAN VETERINARY RESEARCH INSTITUTE

NOTIFICATION

Izatnagar, the 17th August 1951

No. 8133-35/G.—Captain S. B. V. Rao, Research Officer (Pathology), Poultry Research Section, Indian Veterinary Research Institute, Izatnagar, is granted earned leave for 24 days from the 26th July, 1951 to the 18th August, 1951, with permission to suffix Sunday the 19th August, 1951.

S. DATTA,

Director.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Office of the Director-General, Posts and Telegraphs

NOTIFICATION

New Delhi, the 17th August 1951

No. SPA.80-1/50.—The following officiating Postmasters Grade A are confirmed in Postmasters' Service, Class II with effect from the dates noted against them :—

1. Shri H. Sharma—10th August 1949.
2. Shri J. S. Shab—30th September 1949
3. Shri G. D. Walvekar—25th December 1949.
4. Shri Chunni Lal—7th January 1950.
5. Shri G. P. Bhatnagar—12th February 1950.
6. Shri G. M. Behare—11th March 1950.
7. Shri P. M. Wadgaonkar—15th April 1950.
8. Shri R. H. Kelkar—10th October 1950

KRISHNA PRASADA,

Director-General.

OFFICE OF THE DIRECTOR GENERAL OF CIVIL
AVIATION

NOTIFICATIONS

New Delhi, the 21st August 1951

No. E(C)11-3/51.—The following transfers have been made :—

Name and designation of the officer.	Date of relinquishment of charge.	Office/Unit to which transferred	Date of assumption of charge
1. Mr. N. S. Nagaraja, Senior, Technical Officer, Radio Construction Unit, New Delhi.	18-7-51 (A.N.)	Office of the Controller of Communication, Calcutta Region, Dum Dum.	30-7-51 (F.N.)
2. Mr. K. N. Gopala-Krishnan, Senior Technical Officer, Office of the Controller of Communication, Calcutta Region, Dum Dum.	30-7-51 (F.N.)	Radio Construction Unit, New Delhi	9-8-51 (F.N.)

No. E(C)15-2(ii)/51.—Mr. M. M. Bhattacharyya, Assistant Communication Officer, Aeronautical Communication Station, Dum Dum, has been granted earned leave for 50 days with effect from the 4th August, 1951 (forenoon).

No. E(C)15-2(iii)/51.—On return from leave, Mr. N. Sundaram resumed charge of his duties as Officiating Assistant Communication Officer at Aeronautical Communication Station, New Delhi on the 4th August, 1951 (forenoon).

No. E(C)15-13/51.—Mr. N. V. S. Iyengar, Officiating Controller of Communication, Bombay Region, was compulsorily recalled from leave granted to him in this office Notification of even number dated the 6th July, 1951, and he resumed charge of his duties at Bombay on the afternoon of the 19th July, 1951. The unexpired portion of his leave from the 19th July, 1951 to the 28th July, 1951 (both days inclusive) is cancelled.

D. CHAKRAVERTI,
Offg. Director General of Civil Aviation.

INDIA METEOROLOGICAL DEPARTMENT

Memorandum on the rainfall of June and July and the probable amount during August and September 1951.

1. WEATHER IN INDIA IN JUNE AND JULY

June.—The Arabian Sea branch of the southwest monsoon advanced into Travancore-Cochin on the 31st May which is the normal date. It extended into Malabar and south Kanara the next day and into Mysore, south Deccan (Desh) and the south Konkan by the 2nd June. A depression, which formed in east Arabian Sea off the Kathiawar coast on the 11th June and moved northwestwards, strengthened the monsoon. The monsoon also extended into the north Konkan on the 12th and feebly into north Deccan (Desh) on the same day and in Saurashtra and south Gujarat on the next day. Vigorous monsoon conditions prevailed along the west coast south of Ratnagiri throughout the second week. S. S. Maharashmi, a 1,600 ton coastal cargo vessel is reported to have sunk near Bhatkal about 350 miles south of Bombay on the 10th due to squally weather.

The Arabian Sea branch of the monsoon was generally weak in the third week. Thereafter it revived slightly and extended into west Madhya Pradesh on the 23rd. There were widespread or local showers between the 22nd and 25th in Deccan (Desh) and Hyderabad. Good rain fell along the west coast also in the fourth week. There was a temporary advance of the monsoon in Saurashtra and Kutch and south Rajasthan on the 28th, but during the last two days of the month this branch remained weak.

The Bay of Bengal branch of the monsoon which had advanced into the Andaman Sea on the 29th May was ushered into the northeast India between the 4th and 5th June in association with a shallow depression which formed in the northwest Bay of Bengal by the 4th, moved inland and became unimportant over north Orissa and Chota Nagpur by the 6th. The monsoon, however, continued to be vigorous in Assam and active in West Bengal for the next five days. Thereafter for about a fortnight the activity of the Bay branch of the monsoon was mostly confined to Assam while rest of northeast India had little rain. Due to these continuous and locally heavy rains in Assam, many rivers were in floods. About 8,000 heads of cattle were reported to have been carried away by the swollen waters of Brahmaputra. Considerable damage was also caused to property.

The monsoon extended into east Madhya Pradesh, Vindhya Pradesh and Madhya Bharat on the 27th and into east Uttar Pradesh on the 29th under the influence of a depression which formed in the northwest Bay of Bengal on the 26th morning, and after crossing the coast moved slowly as a low pressure area upto south Bihar and the adjoining regions by the 30th. Vigorous monsoon conditions prevailed over east Uttar Pradesh on the last two days of the month.

Rainfall for the month was in slight excess in the Bay Islands, south Hyderabad, coastal Andhradesa, Rayalaseema and Malabar and south Kanara, in moderate excess in Travancore-Cochin and normal in Assam, sub-Himalayan West Bengal, Orissa, east Uttar Pradesh, Saurashtra and Kutch, the Konkan, Deccan (Desh) and Mysore. It was in slight to moderate defect in Gangetic West Bengal, Chota Nagpur, Bihar, Rajasthan, Madhya Bharat, Vindhya Pradesh, west Madhya Pradesh, north Hyderabad and Tamilnad and in large defect elsewhere. Averaged over the plains of India the rainfall was 19 per cent in defect.

July. The monsoon extended into west Uttar Pradesh and the Punjab (I) on the 1st and was vigorous in Vindhya Pradesh, Bihar, sub-Himalayan West Bengal and Assam on that day. The Arabian Sea branch continued to be weak and the Bay branch also weakened by about the 5th after which date rainfall was mostly confined to Assam and the neighbourhood. There were, however, a few spells of wet weather over the Peninsula and northeast India. Fairly wide-

spread thundershowers occurred in the southern half of the Peninsula between the 5th and 8th, in Chota Nagpur and Bihar on the 5th and 6th and over the region extending from the north Konkan to north Madhya Pradesh and north Gujarat on the 9th. Locally heavy falls occurred in Assam between the 12th and 17th with the result that many rivers there were in spate. According to newspaper reports, large tracts along the banks of the Brahmaputra and its tributaries were inundated and rail communications were disrupted in some parts of Assam. There had also been widespread rain along the west coast between the 12th and 14th with locally heavy falls in the Konkan.

The second fortnight of July was marked by the formation of three depressions in the Bay of Bengal in rapid succession and their movement inland. The first one formed in the northwest Bay about 60 miles southeast of Gopalpur by the morning of the 21st. It took a westerly course, crossed the Circars coast south of Calicut by the evening of the 22nd and became unimportant. It was, however, responsible for the active monsoon conditions over the Peninsula outside Tamilnad and Rayalaseema between the 18th and 24th. Very heavy falls of rain were reported from the south Konkan and the adjoining parts of Malabar and south Kanara between the 21st and 23rd. A cyclonic storm developed in the northwest Bay by the morning of the 25th and crossing the coast the same evening, weakened into a deep depression. It took a west-northwesterly course initially and then northwesterly and northerly later. Gradually weakening, it finally merged into the seasonal low over northwest India by the morning of the 29th. The last depression travelled from the head Bay to northwest Madhya Pradesh and the adjoining parts of Vindhya Pradesh between the 30th morning and the 31st evening. It weakened rapidly and merged into the seasonal trough. In association with the passage of the above two disturbances, the monsoon was vigorous in south Madhya Pradesh and the Konkan on the 26th and 27th, in Saurashtra and Kutch and Gujarat on the 27th, and in east Madhya Pradesh and north Hyderabad on the 31st respectively. The monsoon was also active in northeast India on the 29th. The rainfall for July was in large excess in the Bay Islands, Hyderabad and coastal Andhradesa, in moderate excess in the Konkan and Tamilnad and in slight excess in Bihar and Rayalaseema. It was normal in Assam, West Bengal, Orissa, east Madhya Pradesh, Deccan (Desh) and Mysore. It was in slight defect in Chota Nagpur, Madhya Bharat, Vindhya Pradesh, west Madhya Pradesh, Saurashtra and Kutch and Malabar and south Kanara, in moderate defect in west Uttar Pradesh, the Punjab (I), Rajasthan, Gujarat and Travancore-Cochin and in large defect in east Uttar Pradesh. Averaged over the plains of India, rainfall during July was in defect by 10%.

June and July combined.—The advance of the monsoon over the Peninsula and northeast India was by about the normal date. It, however, extended into the central parts of the country, Uttar Pradesh and northwest India only towards the end of June. The activity of the Bay branch of the monsoon was also mostly confined to Assam and West Bengal, and the rainfall over the remaining parts of north India was, therefore, in moderate defect. The Arabian Sea branch of the monsoon was comparatively more active during June and July and the rainfall over the Peninsula was nearly normal.

Taking the two months together the rainfall was in large excess in coastal Andhradesa, in moderate excess in the Bay Islands and south Hyderabad and in slight excess in the Konkan, north Hyderabad and Rayalaseema. It was normal in Assam, West Bengal, Orissa, Bihar, Deccan (Desh), Tamilnad, Malabar and south Kanara, Mysore and Travancore-Cochin. It was in slight defect in Chota Nagpur, Vindhya Pradesh, east Madhya Pradesh and Saurashtra and Kutch and in moderate defect in Uttar Pradesh, the Punjab (I), Rajasthan, Madhya Bharat, west Madhya Pradesh and Gujarat. Averaged over the plains of India, the rainfall was 13% in defect.

The following table gives for each sub-division and for the Indian area as a whole the total rainfall during the period, its departure from normal and the percentage departure from normal :—

Serial No	Sub-division	Period, June and July		
		Actual	Departure from normal	Percentage departure from normal
1	Bay Islands	50.6	+13.4	+36
2	Assam (Including Manipur and Tripura) ..	33.2	-1.7	-5
3	(a) Sub-Himalayan West Bengal ..	46.6	+1.6	+4
	(b) Gangetic West Bengal ..	19.9	-3.4	-15
4	Orissa	19.8	-1.8	-8
5	Chota Nagpur	16.2	-5.1	-24
6	Bihar	20.4	-0.3	-1
7	Uttar Pradesh, East ..	10.3	-7.5	-42
8	Uttar Pradesh, West ..	10.0	-8.6	-40
9	Punjab (I) (including PEPSU and Delhi) ..	4.9	-4.0	-49
10	Rajasthan, West ..	2.5	-2.1	-46
11	Rajasthan, East (Including Ajmer) ..	7.7	-4.2	-35
12	Madhya Pradesh (Including Bhopal) ..	11.9	-5.1	-30
13	Vindhya Pradesh ..	17.4	-3.9	-18
14	Madhya Pradesh, East ..	19.6	-4.8	-20
15	Madhya Pradesh, West ..	15.3	-5.4	-26
16	Gujarat	9.0	-7.9	-47
17	Saurashtra and Kutch ..	9.4	-1.7	-15
18	Konkan	72.2	+7.8	+12
19	Deccan (Desh)	10.5	0	0
20	Hyderabad, North ..	16.3	+2.9	+22
21	Hyderabad, South ..	15.3	+4.3	+39
22	Coastal Andhradesa ..	14.3	+5.5	+63
23	Rayalaseema	6.7	+1.1	+20
24	Tamilnad	3.8	0	0
25	Malabar and South Kanara ..	71.9	+1.1	+2
26	Mysore	15.0	-0.7	-4
27	Travancore-Cochin ..	38.9	+2.5	+7
	Mean of India excluding Bay Islands ..	14.9	-2.3	-13

Punjab Temperature Range.—Departures of the Punjab temperature range were as follows :—

April 1951	-1.6°F
May 1951	-0.5°F

Indo-Gangetic River Discharges.—Mean departure of the total river discharges during April and May 1951 was—134 (in 10,000 cusecs).

3. INFERENCES FROM THE DATA

In foreshadowing August and September rainfall in the Peninsula which is taken to consist of Saurashtra and Kutch, Gujarat, the Konkan, Deccan (Desh), Madhya Pradesh and Hyderabad, the chief factors in the order of decreasing reliability, as judged by the available data are South Rhodesia Rain, Pressure Distribution in India, Mauritius pressure and Java Rain. This year Mauritius and India Pressures are very favourable, Rhodesia Rain moderately favourable and Java Rain very unfavourable. There is a four to one chance that the total rainfall of August and September 1951 will not be below ninety-four per cent of the normal.

For Northwest India, (taken to consist of the Uttar Pradesh, the Punjab (I) including PEPSU and Delhi, and Rajasthan) the factors used in the order of decreasing reliability, as judged by the available data are South American pressure, Indo-Gangetic river discharges, South Rhodesia rain, Indian pressure and Punjab temperature range. This year South Rhodesia rain, Punjab temperature range and Indo-Gangetic river discharges are very favourable. Indian pressure indifferent and South American pressure very unfavourable. The statistical analysis indicates that there is a four to one chance that the total rainfall of Northwest India in August and September 1951 will not be less than eighty nine per cent of the normal.

2. CONDITIONS HAVING INFLUENCE ON THE RAINS OF AUGUST AND SEPTEMBER 1951.

A forecast or rather foreshadowing of the monsoon rainfall of June to September was issued early in June. Recent data have been examined to see if any useful supplementary foreshadowing for the remainder of the season can now be given. The relevant data are the following :—

Indian Pressure—Pressure was below normal throughout the country in June. In July it was above normal everywhere except north Hyderabad, Mysore, Malabar and south Kanara and Travancore-Cochin where it was slightly below normal. Averaged over the plains, the pressure departure was—0.9 mb. in June and +0.9 mb. in July.

Snow in the mountain regions of northwest India.—The snowfall reports received from the Western Himalayas for June and July indicate that snowfall was slightly below normal.

Indian Ocean Pressure.—At Mauritius pressure was in excess by 0".006 in June and in defect by 0".025 in July.

Java.—The monthly rainfall departures from October 1950 to February 1951 were +124%, +55%, -5%, +4% and +17% respectively.

South Rhodesia Rain.—Rainfall from October 1950 to April 1951 was in defect by 6".9.

South American Pressure.—Pressure departures were as follows :—

	Buenos Aires	Cordoba	Santiago
	mm.	mm.	mm.
June 1951	-1.7	-2.0	-0.5
July 1951	-1.2	-1.2	-0.5

4. SUMMARY

The total rainfall during August and September 1951 will not be far from normal both in the Peninsula and Northwest India.

NEW DELHI; } V. V. SOHONI,
The 8th August 1951. } Director General of Observatories.

NOTIFICATION

New Delhi 3, the 25th August 1951

No. E(I).00596.—Mr. S. Mazumdar, M.Sc., Officiating Meteorologist, Grade II, has been posted to the Headquarters Office, New Delhi, with effect from the forenoon of the 13th July 1951.

V. V. SOHONI,

Director General of Observatories.

FOREST RESEARCH INSTITUTE & COLLEGES

NOTIFICATION

Dehra Dun, the 23rd August 1951

No. 10046/51-Ests-23(2).—Dr. R. N. Mathur, Systematic Entomologist, Forest Research Institute, Dehra Dun, granted leave on average pay for one month with effect from August 6, 1951 with permission to prefix Sunday the 5th August 1951, to his leave.

C. R. RANGANATHAN,

President,

Forest Research Institute & Colleges

DIRECTORATE OF MARKETING & INSPECTION**NOTIFICATION***New Delhi, the 17th August 1951*

No. F.3/58/Estt.—Mr. G. J. Hiranandani, Assistant Marketing Officer and Inspector, Sann Hemp Grading, Calcutta, was granted earned leave for 13 days from the 23rd July, 1951 to the 4th August, 1951 (both days inclusive) with permission to affix thereto Sundays, the 22nd July and 5th August, 1951.

Certified that on his return from leave, Mr. Hiranandani was likely to resume duties at Calcutta whence he had proceeded on leave.

B. C. SEN,

*Deputy Agricultural Marketing Adviser
to the Government of India.*

COLLECTOR OF CENTRAL EXCISE**NOTIFICATIONS***Bombay, the 3rd August 1951*

No. II/5-587/51.—(1) Thirty days, earned leave is sanctioned to Shri C. D. Moray, Superintendent, Cotton Excise, Bombay, from 2nd June, 1951 under Rule 9(a) of the Revised Leave Rules, 1933.

Shri Moray was likely to return to duty at Bombay on the expiry of the leave.

The 6th August 1951

No. II/5-587/51.—(2) In modification of this office order No. II/5-587/51, dated the 3rd August, 1951, thirty days' earned leave is sanctioned to Shri C. D. Moray, Superintendent Cotton Excise, Bombay, from 4th June, 1951 with permission to prefix Sunday the 3rd June, 1951, under Rule 9(a) of the Revised Leave Rules, 1933.

Shri Moray was likely to return to duty at Bombay on the expiry of the leave.

The 17th August 1951

No. II/5-587/51.—(3) The leave sanctioned in this office Order No. II/5-587/51, dated the 6th August, 1951 to Shri C. D. Moray, Superintendent, Cotton Excise, Bombay, is extended by thirty days' earned leave from 4th July, 1951 to 2nd August, 1951 under Rule 9(a) of the Revised Leave Rules, 1933.

Shri Moray returned to duty at Bombay on the expiry of the leave.

A. S. KYTE,

Collector of Central Excise, Bombay.

CENTRAL PUBLIC WORKS DEPARTMENT**NOTIFICATIONS***New Delhi, the 17th August 1951*

No. 06781-EL.—Shri P. Ramaswami, Assistant Engineer, attached to the Water Works Division, New Delhi, was granted extension of earned leave for 39 days combined with leave on half average pay for 22 days with effect from the 3rd August, 1951, in continuation of earned leave for 55 days already sanctioned to him vide this Office Notification No. 06781EL, dated the 6th August 1951.

No. 7386/EIL.—Mr. Raj Mangal Singh, Labour Officer, attached to the First Circle, C.P.W.D., New Delhi, is granted earned leave for 17 days with effect from 14th June 1951 to 30th June 1951, with permission to affix Sunday the 1st July 1951 to his leave, under Revised Leave Rules, 1933. He resumed duty on 2nd July 1951 F.N.

The 20th August 1951

No. 02361-EL.—Shri S. H. Abhyankar, Officiating Executive Engineer, Special Division No. I, New Delhi, was granted an extension of 7 days earned leave in continuation of earned leave for 13 days with effect from 9th July 1951 granted to him in this Office Memo. No. 02361-EL, dated the 9th July 1951.

He was permitted to affix Sunday the 29th July 1951 to his leave.

The 23rd August 1951

No. 0745-E/CAW.—Mr. Shiv Sharan Ojha was appointed as Assistant Engineer (Electrical) Class II, on probation

for a period of two years, with effect from the afternoon of the 28th July 1951 and posted to the Bombay Aviation Electrical Division, Bombay with effect from the same date.

B. S. PURI,

Chief Engineer.

MEMORANDUM*New Delhi, the 23rd August 1951*

No. 321-E/CAW.—Shri D. M. Godbole, Junior Architect, attached to the Central P.W.D., Civil Aviation, New Delhi, was granted earned leave for 30 days with effect from 18th June, 1951 F.N. with permission to prefix Sunday the 17th June, 1951 to his leave under Revised Rules, 1933.

M. S. MATHUR,

Chief Engineer, (Avn.)

OFFICE OF THE COMMISSIONER OF INCOME-TAX**NOTIFICATIONS***Lucknow, the 13th August 1951*

No. 114.—In partial modification of this office notification No. 83, dated 14th July 1951, Shri H. C. Babri was appointed to be the Income-tax Officer, Section F.E.P.T. Circle, Kanpur, with effect from 2nd July 1951.

No. 115.—Shri V. P. Gupta, on transfer from Delhi, was appointed to be the Income-tax Officer, Section F.E.P.T. Circle, Kanpur, with effect from 11th June 1951 to 31st July 1951.

DALIP SINGH,

*Commissioner of Income-tax,
U.P. & V.P.*

OFFICE OF THE COMMISSIONER OF INCOME-TAX**NOTIFICATIONS***Delhi the 16th August 1951*

No. P.F.R.52/13883.—Shri R. I. Chadha, Additional Income-tax Officer, 1st G-Ward, Delhi was granted earned leave for 15 days with effect from the 11th July 1950.

The 17th August 1951

No. C.44(1)/14004.—Mr. R. K. Das, officiating Additional Inspecting Assistant Commissioner of Income-tax, Delhi is granted earned leave for 42 days with effect from the 7th August 1951.

ORDERS*Delhi, the 16th August 1951*

No. K-187(2)(a)/13991.—I hereby direct in pursuance of Sub-section (5) of Section 5 of the Indian Income-tax Act (XI of 1922) that the Income-tax Officers specified in Column 1 of the Schedule hereto annexed shall perform the functions of I.T.O., in respect of the class of Companies specified in column 2 thereof:—

Schedule

Column 1.	Column 2.
1. Incometax Officer, 1st Companies Circle, New Delhi.	All Companies other than those allotted to the Addl. I.T.O., Ist., Companies Circle, New Delhi.
2. Addl. Incometax Officer, Ist., Companies Circle, New Delhi.	All Companies whose last assessed income is below Rs. 25,000/-.

No. K-187(2)(a)/13996.—Shri R. S. Chadha, Income-tax Officer, 1st Companies Circle, New Delhi is posted as Income-tax Officer, 1st Contractors' Circle, New Delhi, in addition to his own duties.

INDARJIT SINGH,

*Commissioner of Income-tax,
Delhi, Ajmer, Rajasthan and Madhya Bharat.*

CENTRAL WATER & POWER COMMISSION**NOTIFICATIONS***New Delhi, the 20th August 1951*

No. 152/71/51-Adm.—In partial modification of this office Notification No. 152/71/51-Adm., dated 10th

August 1951, Shri A. S. Bhalla, Accounts Officer, Central Water and Power Commission is granted 26 days extension of leave on average pay on medical grounds with effect from the 16th July, 1951.

No. 605/27/51-Adm.—Shri Jagat Ram Wadhwa is appointed as Technical Superintendent, Central Water & Power Commission, w.e.f. the 17th August, 1951 (forenoon).

V. S. ANNASWAMI,
Secretary.

DEPARTMENT OF INSURANCE

NOTIFICATION

Simla-4, the 1st September 1951

No. 692-I(1)/46.—It is hereby notified for general information that the registration granted to the following insurer by the Controller of Insurance under section 3 of the Insurance Act, 1938 (IV of 1938) has been cancelled under clause (a) of sub-section (4) of the aforesaid section and that the cancellation took effect from the date noted below :—

S. No.—105.

Name and address of the insurer.—The Peerless Life Assurance Company Limited, 35, Chittaranjan Avenue, Calcutta.

Certificate of registration No.—357.

Class of business for which registration was cancelled.—Life.

Date from which cancellation took effect.—10th July 1951.

A. RAJAGOPALAN,
Controller of Insurance.

EAST INDIAN RAILWAY

NOTIFICATIONS

Calcutta, the 21st August 1951

No. AE.2134/Prom./7/1.—The following Probationary Officers of the Transportation (Traffic) and Commercial Departments of the Indian Government Railways are confirmed in the Junior Scale of that Departments in this Railway with effect from the dates noted against each :—

Name.	Date of confirmation.
1. Mr. P. N. S. Bedi.	19-9-47.
2. Mr. Probhinder Singh.	10-12-50.

The 25th August 1951

No. AE.2134/Prom./7 Pt.III.—Mr. R. V. Sitaraman, officiating Principal Technical School Jamalpur, senior scale is confirmed in that appointment in the senior scale of the Transportation (power) and Mechanical Engineering Department with effect from 21st April 1950.

K. B. MATHUR,
General Manager.

EASTERN PUNJAB RAILWAY

NOTIFICATIONS

Delhi, the 10th August 1951

No. 78.—Shri Raghuwansh Singh, Assistant Commercial Officer, Eastern Punjab Railway, was granted leave on average pay for a period of 28 days with effect from 1st July, 1951.

This is in supersession of this office notification No. 66 dated 3rd July, 1951.

No. 79.—The following Subordinates of the Establishment Department, Eastern Punjab Railway, are appointed to officiate in class II service as Assistant Personnel Officers, on this Railway with effect from the dates noted against each :—

1. Shri S. C. Kochhar—1st August 1951.
2. Shri T. R. Lokanathan—2nd August 1951.

The 14th August 1951

No. 80.—Shri N. L. Bhasin, a Subordinate of the Civil Engineering Department, Eastern Punjab Railway, was appointed to officiate in Class II service in that Department, on this Railway with effect from 20th May, 1951.

The 16th August 1951

No. 82.—The following subordinates of the Transportation (Traffic) and Commercial Department, Eastern Punjab Railway, are appointed to officiate in class II service in that Department, on this Railway with effect from the dates noted against each :—

- Mr. Gurdial Singh—2nd August, 1951 A.N.
- Mr. L. B. Ajwani—1st August, 1951.
- Mr. Gujar Singh—1st August, 1951 A.N.
- Mr. Gopal Dass Ranada—2nd August, 1951.
- Mr. S. S. Gyani—31st July, 1951 A.N.
- Mr. Sohan Singh—1st August, 1951 A.N.
- Mr. Radhey Mohan Lal—6th August, 1951 A.N.

The 18th August 1951

No. 83.—Shri R. R. M. Tandon, Offg. Senior Personnel Officer, Eastern Punjab Railway, was granted an extension of leave on average pay for a period of 1 day for 31st July, 1951, in continuation of leave already granted vide this office Notification No. 69, dated 12th July, 1951.

DAYA CHAND,
Chief Administrative Officer.

ASSAM RAILWAY

NOTIFICATIONS

Pandu, the 17th August 1951

No. 545E/15(O).—Shri J. N. Das Gupta, Officiating District Traffic Superintendent, Claims, is granted leave preparatory to retirement for 4 months on Privilege leave and 10 months furlough with effect from 5th March, 1951.

The 18th August 1951

No. 202E/27(O).—Shri S. K. Bose, Assistant Signal Engineer was appointed to officiate in the Senior Scale as District Signal Engineer for the period from 2nd June 1951 to 5th July 1951 (both days inclusive).

B. ARORA,
Chief Administrative Officer.

ODISH TIRHUT RAILWAY

NOTIFICATION

Gorakhpur, the 20th August 1951

1. Shri Krishan Chandra, Assistant Engineer has been promoted to officiate in Senior Scale as P.A. to C.E. with effect from 1st August 1951 F.N.

2. Shri Man Singh, Offg. A.P.O. on transfer from E.P. Railway has been posted as Offg. Assistant Personnel Officer with effect from 27th July 1951, F.N.

3. Shri S. L. Khanna, P.A. to C.E. has reported sick for 45 days with effect from 31st July 1951 A.N.

G. PANDE,
General Manager.

PORT OF COCHIN

ORDERS

Willington Island the 14th August 1951

No. A2-4144/51.—Sri A. I. I. Ipe, Assistant Harbour Master, is granted earned leave for two days on the 27th and 28th July 1951.

The 23rd August 1951

No. A2/2326/51.—Mr. H. A. P. Meik, Master, S.T. "Cochin", is granted earned leave for sixty-two days from 4th September 1951, or date of relief.

G. VENKATESWARA AYYAR,
Administrative Officer.

UNION PUBLIC SERVICE COMMISSION

Advertisement No. 34

Applications invited for undermentioned posts from Indian citizens and persons migrated from Pakistan with intention of permanently settling in India or subjects of Nepal, Sikkim or Portuguese or French possession in India. Upper age limit relaxable by 3 years for scheduled castes, tribal and aboriginal communities and displaced persons. No relaxation for others save in exceptional cases and in no case beyond three years. Particulars and application forms from Secretary, Union Public Service Commission, Post Box No. 186, New Delhi. Applications for forms must specify name of post. Closing date for applications with treasury receipt or crossed Indian Postal Order for Rs. 7/8/- (Rs. 1/14/- for scheduled castes and tribes) as given below. Commission may remit genuinely indigent and *bona fide* displaced persons' fee. Separate application with separate fee required for each post. Candidates abroad may apply on plain paper if forms not available and deposit fees with local Indian Embassy. If required candidates must appear for personal interview.

Part 'A'—Closing date 22nd September, 1951 (6th October, 1951 for applicants abroad).

1. Six permanent Assistant Surgeons, Medical Department, Government of Tanganyika. Posts permanent and pensionable. Pay:—£445—15—610 per annum. Increments for professional experience after qualification at rate of one for each completed year may be granted subject to maximum of four. NOTE:—(i) Selected candidates will be required to remain on their commencing salary for two years or until confirmation, when double increment will be given. (ii) Temporary emergency allowance at 15 per cent. of salary, is paid in view of rise in cost of living. Continuation of allowance will be considered at end of 1951. (iii) Limited form or private practice allowed except in Dar-es-Salaam. Prospects of promotion as Senior Assistant Surgeons, in scale of £610—20—690 per annum. Age:—Below 40 years. Qualifications:—Essential—(i) Registerable medical qualification. (ii) About 2 years' post-graduate experience as Private practitioner or in hospital.

2. One Junior Scientific Officer (Physical Chemistry), Technical Development Establishment Laboratory Stores, Kanpur. Temporary but likely to become permanent. Other things being equal, preference to scheduled caste candidate. Pay:—Rs. 350—350—380—380—30—590—E.B.—30—770—40—850. Higher initial pay to specially well-qualified and experienced candidate. Age:—Below 40 years. Qualifications:—Essential—(i) Master's or equivalent honours degree of recognised University with Physical Chemistry as special subject. (ii) About 3 years' practical or research experience in Government or Commercial Laboratory or Organisation engaged on analytical or research work.

Part 'B'—Closing date 15th September, 1951 (29th September, 1951 for applicants abroad).

One General Superintendent, Fertilizer Project, Sindri. Permanent but appointment made on five-year contract mutually extendable. Pay:—Rs. 2,750—50—3,000. Free medical attention to extent available. Higher initial pay upto Rs. 3,000/- to exceptionally well-qualified and experienced candidate. Age:—Between 40 and 55 years. Qualifications:—Essential—(i) Master's or equivalent Honours degree in Applied Chemistry or Chemical Engineering. OR Good degree in Mechanical Engineering or equivalent. (ii) Regular training in Chemical or Mechanical Engineering with firm of repute preferably in design, manufacture installation and/or operation of large scale chemical or industrial plants. (iii) Experience in technical and administrative management of large industrial or chemical plants employing large technical staff and labour force preferably over 1,500 strong for 10 to 15 years of which 5 years should be in senior charge of plant like Fertilizer plant at Sindri.

Advertisement No. 35

Applications invited for undermentioned posts from Indian citizens and persons migrated from Pakistan with intention of permanently settling in India or subjects of Nepal, Sikkim or Portuguese or French possession in India. Upper age limit relaxable by 3 years for scheduled castes, tribal and aboriginal communities and displaced persons. No relaxation for others save in exceptional cases and in no case beyond three years. Applications must be accompanied by treasury receipt or crossed Indian Postal Order for Rs. 7/8/- (Rs. 1/14/- for scheduled castes and tribes) and addressed to Secretary, Union Public

Service Commission, Post Box No. 186, New Delhi. Commission may, remit genuinely indigent and *bona fide* displaced persons' fee. Separate application with separate fee required for each post. Candidates abroad may apply on plain paper if forms not available and deposit fees with local Indian Embassy. If required candidates must appear for personal interview.

PART 'A'

Closing date for receipt of applications which may be submitted on plain paper giving following particulars—15th September, 1951 (29th September, 1951 for applicants abroad). 1. Name of post applying for. 2. Name and address. 3. Father's name. 4. Date and place of birth. 5. Domicile. 6. Qualifications. 7. Previous experience. 8. Full details (with dates and salary drawn) of previous employment if any. 9. Minimum initial salary acceptable. 10. Names with addresses of three persons as references. They should be holders of responsible positions but must not be relations. Candidates in employment—private or government must apply through employers.

One Lecturer in Persian, School of Foreign Languages, Delhi, Ministry of Defence.—Central Service—Class II, Gazetted. Temporary for one year at present. Non-pensionable but one holding permanent pensionable post under Government will continue to enjoy pensionary status. Appointment terminable by one month's notice on either side. Pay.—Rs. 250—15—400. Higher initial pay to specially well-qualified and experienced candidate. Age.—Below 45 years. Qualifications.—Essential.—(i) High academic qualification in modern Persian. (ii) Some teaching experience. Duties.—To teach modern Persian. Probation.—3 months.

PART 'B'

Closing date for receipt of applications 29th September, 1951. (13th October, 1951 for applicants abroad). Particulars and application forms from Secretary, Union Public Service Commission, New Delhi. Candidates should specify name of post while applying for forms.

1. One Mycologist (Co-ordinated Wheat Rust Control Scheme), Indian Agricultural Research Institute.—Temporary but likely to continue. Other things being equal, preference to scheduled caste candidates. Pay.—Rs. 600—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150. Age.—Below 40 years. Relaxable for Government servants. Qualifications.—Essential.—(i) M.Sc., or equivalent Honours degree in Botany or Agriculture of recognised University. (ii) Post-graduate training in Mycology and Plant Pathology OR Associateship of Indian Agricultural Research Institute in Mycology and Plant Pathology. (iii) About 10 years' research experience in Mycology and Plant Pathology with evidence of ability to initiate and guide research. (iv) Experience of cereal breeding especially in relation to disease resistance.

2. One Wheat Breeder (Co-ordinated Wheat Rust Control Scheme), Indian Agricultural Research Institute.—Temporary but likely to continue. Other things being equal, preference to scheduled caste candidate. Pay.—Rs. 600—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150. Age.—Below 40 years. Relaxable for Government servants. Qualifications.—Essential.—(i) M.Sc. or equivalent Honours degree in Botany or Agriculture of recognised University. (ii) Post-graduate training in Plant Breeding and Genetics OR Associateship of Indian Agricultural Research Institute in Plant Breeding and Genetics. (iii) About 10 years' research experience in genetics and breeding of crop plants with evidence of ability to initiate and guide research.

3. One Geophysicist in Geological Survey of India.—Temporary but likely to continue. Pay.—Rs. 600—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150. Higher initial pay up to Rs. 800 p.m. to specially well-qualified and experienced candidate. Age.—Between 30 and 45 years. Relaxable for Government servants. Qualifications.—Essential.—(i) At least Master's or equivalent honours degree in Physics or Geology or Geophysics of recognised University. OR Diploma in Geology from Indian School of Mines and Applied Geology. (ii) About 5 years' experience of actual field operations in charge of Geophysical Field Unit.

4. One Officer-in-Charge, JCB Press Joint Cipher Bureau, Ministry of Defence.—Temporary but likely to become permanent. Pay.—Rs. 350—350—380—380—30—590—E.B.—30—770—40—850. Higher initial pay up to Rs. 600 p.m. to specially well-qualified and experienced candidate. Age.—Below 35 years. Relaxable for ex-service officers and Government servants. Qualifications.—Essential.—(i) Intermediate of recognised University or equivalent. (ii) Certificate or diploma in Printing and allied trades from recognised Technical Institution

n India or recognised Printing school/college in U.K. or U.S.A. or Europe. (iii) At least 5 years' practical experience in Government or big commercial printing concern in various branches of printing trade. (iv) Some administrative experience.

5. One Junior Scientific Officer (Physical Chemistry), Technical Development Establishment Laboratory Stores, Kanpur.—Post temporary but likely to become permanent. Pay.—Rs. 350—350—380—380—30—590—E. B.—30—770—40—850. Higher initial pay to specially well-qualified and experienced candidate. Age.—Below 40 years. Qualifications.—Essential.—(i) Master's degree with Physical Chemistry as special subject. (ii) About 3 years' practical or research experience in Government or commercial laboratory engaged on analytical or research work.

6. One Principal, Government College, Meerut (Coorg).—Temporary but likely to become permanent. Pay.—Rs. 350—25—500—30—590. Higher initial pay upto Rs. 450 p.m. to specially well-qualified and experienced candidate. Age.—Below 40 years. Qualifications.—Essential.—(i) At least II Class Master's degree or equivalent, preferably in English. (ii) About five years' teaching experience as Lecturer in an Intermediate or higher College.

P. K. KAPRE,
Deputy Secretary,
Union Public Service Commission.

